

The Nation.

NEW YORK, THURSDAY, MARCH 30, 1882.

The Week.

THERE was no gold exported during the week, and at the close foreign exchange, while near to the specie-shipping point, did not warrant exports. The New York banks gained \$184,000 in their surplus reserve during the week, which, considering the usual drain of money to the New England and Middle States to facilitate April settlements, was better than was expected. The Treasury on the 1st of April will begin paying out about \$7,500,000 for interest, and, on the 8th, \$20,000,000 for 3½ per cent. bonds included in the 108th call; these sums may be prepaid, but orders to that effect have not yet been issued. The New York money market has been easier, and rates lower, than at this season for many years; and in every European money centre the tendency is to lower rates for money, the Bank of England having during the week reduced its posted discount rate to 3 per cent., and the Bank of France to 3½ per cent. The foreign markets are taking more and more of our securities each week, and it may be that this demand will be sufficient to prevent further gold exports. The upward movement in prices at the Stock Exchange which began two weeks ago has continued, and has gained strength as the week has advanced. The large speculative capitalists who started the upward movement continue on the side of higher prices, and, besides the foreign demand for stocks, the domestic speculative and investment demands have been large. The business of the railroads is said to be good, and this more because of the increase in local and miscellaneous traffic than on account of the movement of grain, which continues comparatively light. The general trade of the country is apparently sound and prosperous; the amount of goods changing hands is very large; credits are not unduly expanded, and collections are good. A bad feature, however, is the labor trouble, which in the Eastern textile factories and in the coal districts has assumed important proportions. The course of our foreign trade continues to run toward increasing merchandise imports and diminished exports.

The bill "regulating" the Chinese immigration is now before the President, and there is some talk of his vetoing it. The only ground on which he could do so would be that it violates the Treaty of 1880. That provides that the United States Government "may regulate, limit, or suspend the coming or residence" of Chinese laborers, but "may not absolutely prohibit it," and that the limitation or suspension shall be "reasonable." The bill suspends the immigration for twenty years, and the question is raised whether this is reasonable, and on this question the President will probably have to pass. It may be said as a general rule that any legislation fixing a period during which a human being may or may not do a thing, must, in order to be reasonable,

take into consideration the length of human life. A man's working years, or the period during which he is likely to take any important step, such as emigration, for the bettering of his condition, may be said to run from his twentieth to his forty-fifth year. To prohibit a Chinese laborer from coming here for the next twenty years would therefore amount in practice to total prohibition for all laborers who have already reached their twentieth year, or, in other words, for the generations which have already reached manhood. We do not see how this can possibly be considered reasonable, or can be regarded as anything but an evasion of the treaty. Five or even ten years' suspension would not be open to the same objection, because it would only cover a quarter or half of a man's years of enterprise and hard labor, and would serve all the purposes of an experiment, and might be renewed, if the "Mongolian hordes" still threatened us, at its expiration.

The President will do well to bear in mind, too, that as a party measure for use at the next election, the bill has already failed. It was introduced to "make capital" for the Republican party on the Pacific slope. The Republicans were by means of it to appear to the industrious whites of California to be holding the door firmly against the heathen rush. But the Democrats have in a most disgusting manner come in and voted more solidly for the bill than the Republicans. They are, therefore, entitled to half the capital which may be made out of the enterprise, and if one side gets as much capital out of it as the other, it is the same thing as if neither got any at all. The President can, therefore, deal with the measure without regard to party benefit, on broad grounds of public policy and national good faith. He may very profitably consider, too, the possible future inconvenience of putting in the statute book a formal recognition of the different social and political values of different races. He must have noticed how eagerly the Southern whites welcomed the acknowledgment which the bill makes that race may be an incurable defect for political purposes, and that particular localities have a right to call for national legislation against any race they do not like. Nothing could be more convenient for those who maintain that the negro problem is not yet settled, and who may some day in the not very far future be a more potent body in Washington than they are now. In fact, Senator Jones admitted as much in his speech, Republican though he be.

The effect of mere bluster in the conduct of foreign relations can scarcely be more forcibly illustrated than by Mr. Blaine's attempts at a "spirited foreign policy." His celebrated despatch to Mr. Lowell on the exclusive right of the United States to protect the neutrality of the interoceanic canal, or rather to control the latter—a despatch in which the tail of the British lion was demonstratively twisted—had the natural effect of making the question a matter of national honor with Great Britain,

and of drawing from Lord Granville a very cool but very decided reference to the Clayton-Bulwer Treaty, with an array of argument which Mr. Blaine did not show himself able to meet. The attempt to urge the mediation of the United States upon Mexico and Guatemala, to settle a boundary question between them, resulted in a note from the Mexican Government teaching the American Secretary of State a very impressive lesson in history, and then in a settlement of the disputed question without American interference. And now it is reported by telegraph that the Colombian Congress is likely to call upon the Executive of that Confederation "to give a year's notice to the United States of the intention of the Government of Colombia to withdraw from the stipulations and obligations of the treaty of December 13, 1846, between the two countries." It is further stated that "Article 35 of that treaty is particularly condemned as vague and not easy of interpretation, and likely to bring about discord between the contracting parties." This is the very same article referred to by Mr. Blaine in his despatch to Mr. Lowell as entrusting the United States with the exclusive right and duty to protect the neutrality of the interoceanic canal. It appears now that the manner in which Mr. Blaine availed himself of that article in his discussion of the canal question resulted in starting in the Colombian Congress a movement in favor of rescinding the whole thing, and of "paving the way for a joint guarantee of neutrality between the Republics of the New and the commercial nations of the Old World in behalf of the Panama Canal."

Shipperd's testimony on Wednesday week was more guarded than that given the day before, and seemed to indicate a desire to "hedge"; but he stated one or two facts of some importance as giving a clew to his own mysterious operations in connection with the Peruvian Company. It seems that he retained as "counsel" not only Senator Blair and Mr. Boutwell, but Mr. William H. Robertson, Collector of this port. He declares that Senator Blair at first refused to take a retainer, but afterward consented to take one, which he finally returned on finding that the matter was to come up in Congress. There is nothing remarkable in Shipperd's retaining lawyers; but why should he retain these three particular men? As to Senator Blair, he testified on the 21st instant that his motive was to get the ear of Mr. Blaine, with whom the New Hampshire Senator was on intimate terms; he now says that this was also one of his reasons for employing Mr. Boutwell. To use his own words, "the further question was discussed as to just how the Secretary of State should be approached; my own suggestion was that the approach should be made by Governor Boutwell; that he was counsel for the United States [in the Franco-American Claims Commission]; that the Secretary of State was in such relations to him that he could at any time have proper access to him; and I asked him to un-

dertake this affair." The retainer of Mr. Robertson was undoubtedly dictated by the same motive. It is, at least, difficult to see any possible reason for thinking of him as one of three lawyers in all the length and breadth of the United States to do legal work for such a concern as the Peruvian Company, except his being one of the most prominent "Blaine men" in the country. Shipherd's account of his interviews with Messrs. Boutwell and Blair is very funny when we remember what the Cochet claim against Peru is. Mr. Boutwell declared that there was "not a flaw in it," while Mr. Blair remarked that the Cochet claim opened to the United States "the grandest opportunity that was ever afforded to a nation in the history of the world."

Senator Brown, of Georgia, while speaking in favor of the Tariff Commission Bill, admitted that the tariff was unjust in some particulars, but contended that it would be necessary to raise some \$200,000,000 of revenue yearly from it, and that it should be adjusted so as to promote manufacturing interests. He did not say this as a possible Republican or as an Independent, but as a representative of the Democratic party, of which he protested that he was "proud to be a member." He announced that this grand old party "would not in the next campaign insert in its platform a plank of tariff for revenue only." It might be said that it makes little difference whether the Democrats do so or not, because in 1880 they were afraid to use it and promptly threw it away. Still, if they shall be of the same mind in 1884 that they were four years earlier, for the sake of consistency and frankness it is to be hoped they will say what they mean. Senator Brown predicts that they will do this, and that the party will "speak for a tariff for revenue with incidental protection." This would not be surprising. It would only illustrate the curious and fatal capacity of the Democratic party not only for holding fast to old doctrines which have become obsolete and have lost favor with the people, but also for abandoning time-honored principles at the very time when they show fresh vitality and are gaining wider popular acceptance.

Now that there is to be an attempt to construct a new navy, we trust it will be borne in mind that the navy consists of men as well as of ships, and that no improvements or outlay in construction will make up for low morale in the crews. If we may judge from the goings-on of a certain portion of the public in the Mason case, our respect for discipline does not increase in the same ratio as our wealth and mechanical ingenuity. Putting drunken men back into the service after dismissal by court-martial is a practice for which no skill on the part of our shipbuilders can compensate. But this is only part of a series of abuses. Officers unfit for their places for other reasons than drunkenness are kept in the navy, by the practice—of which, by the way, we have just had an example in the Whittaker case and the Mason case—of setting aside the verdicts of courts-martial on technical grounds without

ordering a new trial; by the abuse of the pardoning power, which is the drunkard's best friend; and by Congressional influence in reversing decisions of naval courts and retiring boards. In fact, public sentiment with regard to the moral side of the navy problem is in a decidedly lax condition, and something ought to be done to brace it up while we are constructing those new ships which are to make the British property-holder quake in his boots. He would not quake a bit if he knew how many drunkards we kept in commission, and how much pardoning of naval scamps we did, no matter what stories he heard of what was going on in our navy-yards.

Judge-Advocate-General Swaim, who, after recommending the setting aside of the finding of the court-martial in the Whittaker case on a technical defect, has now done the same thing in the Mason case, without in either instance ordering or recommending a new trial, may be a very useful sort of man for an Administration to have on the premises, but it is nevertheless true that his performances are excellently well calculated to bring military justice into complete contempt. In fact, as long as the United States has him in its service the need of courts-martial does not clearly appear. Those that are held under his rule appear to resemble much the jury which was summoned in Nevada by some lynchers to try a Mexican horse-thief. It once or twice brought in a verdict of acquittal, but was sent back by the presiding Vigilant for further consideration. At last, seeing what was wanted, it found the man guilty, and was thereupon informed by the court that this time its verdict was correct, and that to save time the culprit had been hanged about half an hour previously. If the Whittaker and Mason courts-martial had been more knowing, they might have saved themselves a great deal of trouble by finding out beforehand what kind of verdict was needed. Courts-martial whose findings can be set aside on technical grounds by anybody's order, without the ordering of a new trial, are, to speak plainly, mere farces; and if the practice of setting them aside in this way in important cases goes much further, it will be far better, both for public morality and military discipline, that they should be abandoned as a means of administering justice. There has been so much of it in both the Army and Navy of late, in cases which do not attract public attention, that it is no exaggeration to say that American naval and military service has ceased to be governed by law, and has passed, like that of the Sultan, under a régime of favoritism worked through intrigue. The Whittaker and Mason cases differ from many which have gone before only in their conspicuousness. If the Judge-Advocate can set aside decisions of the military courts on technical grounds, without directing a retrial, which furnishes the only check on arbitrary or corrupt interference with the course of justice, he had better be allowed to announce openly beforehand which offenders he wishes to be punished and which to go free, and thus save expense, and above all save the country the scandal of having courts of justice turned into a laughing-stock.

Whittaker had been found guilty by the court-martial of imposture and perjury, and sentenced to dismissal from the service and imprisonment. He will now escape punishment as a criminal, but will not be, as he confidently expected, wholly restored to his place in the Academy. He is dropped for want of proficiency in his studies, and says he is going to learn shorthand and become a reporter or some kind of journalist. The moral injury which has been done him by sending him to West Point is probably irreparable, and the Congressman to whom he owes his nomination has much to answer for. Persons who are put into new and trying positions in order to make good the title of an oppressed race or class to equal rights, should be carefully selected and made of the very best stuff, because their failure is not and cannot be an individual misfortune simply. Poor Whittaker, however, seems to have had no qualification for the responsibility that was thrust upon him, except his color, and prejudice against color cannot be conquered simply by color. He has now left his race worse off by far than if he had not gone to West Point at all. We trust that when the next trial of a colored cadet is made he will be carefully selected, and offer the best guarantees as to his moral and mental stamina.

General Swaim's report in the Mason case may be called absolutely original, and merits the attention of Mr. Gilbert, the operative author. He recommends the setting aside of the decision, on the ground that Mason, when he fired in through the window of Guiteau's cell, did not see Guiteau, who, as a matter of fact, was reclining on his cot, and had a substantial brick wall between him and his assailant, and could not have been hit by the ball. Moreover, "the exclamation of Mason, after having fired, that he didn't know whether he killed Guiteau or not, shows that he fired purely at random, without any reasonable certainty of assaulting him or killing him." Accordingly, if you knew a man was lying under a bundle of hay in a barn, and you wanted to kill him, you would be at liberty to fire liberally into the hay without being guilty of a felonious attempt, provided you "exclaimed" afterward that you did not know whether you had hit him or not. Under the same rule, the practice of the Irish intimidators of firing in through the windows of houses would be, too, reduced to mere glass breaking. One might shoot a man in the breast at point-blank range, but if it turned out that he had on a bullet-proof vest, and that the ball had glanced off, he could not say that an attempt had been made on his life. General Swaim thinks the court might have found Mason guilty of conduct prejudicial to good order and discipline in firing off his rifle at all, but as it did not, there is nothing for it but to let him go free. We trust the President, in spite of the "pressure" brought to bear on him, will deal with this matter in a manner worthy of the best morality of the country. In any case, it would be far better to pardon Mason boldly on the ground that he was a good fellow, than release him on the wretched quibbles which General Swaim has dished up.

The Irish in this city are making use, in behalf of the Irish-Americans now confined in British dungeons, of the Act of Congress of July 27, 1868, in order to urge the President into taking some action for their liberation. The Act says that "whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reasons of such imprisonment, and if it appears to be wrongful, and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizens." This act is pure buncombe, and if the Irish had more regard than they seem to have for their reputation for political sense and shrewdness, they would not only expect no good from it, but would never publicly mention it. It was passed in 1868 to stop the mouths of the Fenians, and has every mark of contempt for the Irish understanding. It cannot be "made known" to the President that a man has been unjustly deprived of his liberty in a foreign country, without a judicial inquiry, and even if the judicial inquiry showed that he had been unjustly imprisoned, the President would have no right to demand his release unless he had been *illegally* imprisoned. The President cannot see that Americans abroad get abstract justice; his business is to see that they get legal justice. Moreover, he has no shadow of authority, nor can Congress give him any, to demand the liberation of any prisoner held by the constituted authorities of a civilized state. All that he can ask for is that such prisoner be brought to trial, so that his guilt may be judicially ascertained. It is only through such trial that the President can know whether "the imprisonment is wrongful, and in violation of the rights of American citizenship." If the ordinary criminal court of the country finds the American citizen guilty, the President's mouth is closed, whatever his opinion may be of the verdict. All that he has a right to complain of in the case of the Irish-American "suspects" now in dungeons is that they are not brought to trial, though the courts are sitting, or else expelled from the country. This is a wrong, and ought to be remedied. Nothing does more to discredit the Irish cause with the civilized world than the way Irishmen allow themselves to be gulled by pieces of Anglo-Saxon demagoguery like this act. An Irishman hawking it round as a cure for his woes is a most melancholy though somewhat ludicrous spectacle.

They have been having a judicial impeachment case in Minnesota, the facts in which are of some interest. The testimony will be found extremely entertaining by persons who find entertainment in that kind of testimony. According to a brief abstract given in the *Times*, it reveals the impeached judge in all conceivable forms of intoxication, riot, and debauchery. One class of witnesses describes him drunk in the courtroom, unwashed, bleary-eyed, maudering, bullying witnesses and lawyers, and making the transaction of business impossible. On several occasions court was adjourn-

ed to give him time to recover. Some of his official performances were most grotesque. One of his charges to the jury is known throughout the district as "Cox's temperance lecture." Another witness describes a case in Lyon county, in which Judge Cox held court in a saloon to issue naturalization papers, and demanded that the newly-made citizen should "treat" before he would sign the papers. It seems to have been the regular practice for court, bar, jury, witnesses, and spectators to get drunk together nightly, and the witnesses testified that Cox never passed the bottle. One witness wanted to describe a scene where the rest of the party rolled the fuddled judge over on his back and played cards upon his judicial abdomen, but the matter was ruled out. The judge has been removed by the Senate, and disqualified from holding judicial office for three years—a sentence which is almost as entertaining as the evidence.

While it is impossible not to sympathize with the feelings of Dr. Lamson's relatives and friends over his present unhappy plight, we trust there is no truth in the story that they are trying to get Mr. Lowell to ask for a reprieve in order to give time to produce evidence, not that Dr. Lamson is insane, but that there is "insanity in his family." This ought to be impossible after the exhibition of the insanity defence which we have been offering the world in the Guiteau case. No suggestion of Dr. Lamson's insanity was made before or during the trial. No such suspicion appears to have been entertained about him. The evidence of his having procured and administered aconite to his brother-in-law was overwhelming, and that of his having made a similar attempt on him previously was almost equally strong. The motive was supplied by the fact that he would get possession of half the boy's estate. The amount was small, it is true, but it was large for a man who was unable to pay his board bills. The one circumstance in his favor, that he went to London to surrender when he heard he was suspected, is neutralized by the fact that he might have been arrested in France, and that he had no money to fly with, even if flight would not have been a confession of guilt.

There is no question of the fairness of the trial, or of the ability of the defence. In the transaction itself, as proved on the trial, and in the Doctor's demeanor during the trial, there was every sign, not only of sanity, but of great acuteness and deliberation. It is not surprising that his friends should exhaust every resource to procure a mitigation of punishment, but it is no part of the United States Minister's business to interfere in the matter, because there is no way in which the case can be made to wear an international character. Moreover, no one who reads the evidence can avoid seeing that if Dr. Lamson were held to be insane on the ground that there was insanity in his family, it would amount to a plenary indulgence for everybody who could show that he had at some time or other had an aunt, or cousin, or grandmother in a lunatic asylum. This would enormously increase our criminal po-

pulation, and strike the most tremendous blow against moral responsibility the world has ever seen. There is nothing deducible from a man's having had insanity in his family, except a tendency to insanity. It does not follow, because a man has had an insane father or mother, that he is himself insane. It only follows that he has a constitutional liability to become insane. Nor would it follow that if such a man committed a crime, it was the madness working in him which led him to commit it, unless we could show that the sane never committed crimes. The fact is, however, that the immense majority of crimes are committed by persons who must be considered sane, if anybody is to be considered sane and society is to be held together by laws. The only theory on which it is possible for courts and juries to work in dealing with crime is, that every man must be punished for doing what he knew he forehand would bring upon him punishment which he feared and tried to avoid. This may not be a perfect hypothesis, but for the purposes of civilization it is a good working hypothesis, and must endure till something better is discovered.

The division in the House of Commons on the question of adjourning the debate on a resolution calling for the equalization of the borough and county franchise, will probably furnish the Ministry with an additional reason for pushing the closure. The majority against it was only 192 to 137, but it showed that the House was ready to entertain the proposal if made, or was, in other words, an invitation to the Ministry to bring in their County Franchise Bill. Lord Hartington has announced in various speeches that if they do not get the closure they will dissolve Parliament, which has acted as a powerful whip on the lukewarm Liberals, and will probably make them ready for anything in reason. In these times few members are sure of reelection, and it costs nearly every man \$5,000 to secure it, and there are not many Liberals who would not sooner follow Gladstone as far as he is likely to go than incur this risk and outlay. With the county franchise lowered to the borough level, the Ministry could go to the country with a tolerable certainty of gaining enough county seats to make up for the loss which they will undoubtedly incur in Ireland. It is all but certain that forty or fifty Parnellites will take the place of as many Irish Liberals, giving the extreme Irish section the power of turning the scale, if the English and Scotch members remain divided as they are now. So that it is almost a necessity for the Ministry to make a further inroad into the Conservative strongholds—the counties—at the next election. In the boroughs at present every man who is a householder and pays poor rates, or is a lodger in lodgings which, unfurnished, would rent for fifty dollars a year, has a vote. In the counties the voter must, besides being a ratepayer, be the owner of lands bringing \$25 a year over and above all rents and charges, or the occupier of lands of the rateable value of \$60 a year. This excludes the farm laborers and a large proportion of the village population, and gives the landlords in most counties the control of the constituency.

SUMMARY OF THE WEEK'S NEWS.

DOMESTIC.

THE House passed the Chinese Bill on Thursday in substantially the same form as it came from the Senate. This is the only business of importance which has been done by the House during the week.

The Chinese Bill has been sent to the President, but he will not act upon it until the question has been considered and examined in all its bearings by the Cabinet.

The Senate passed the Tariff Commission Bill on Tuesday, by a vote of 38 to 15, after an uninteresting debate, and the discussion of the bill in the House was begun on the same day.

The Senate Committee on Civil Service authorized Senator Pendleton, on Tuesday, to report the Civil-Service Reform Bill as it was originally introduced by him in the early part of December.

The Senate Committee on Foreign Relations has agreed to report for ratification the two commercial treaties recently negotiated with Serbia and Rumania. The Committee on Military Affairs has agreed to recommend the passage of a bill to increase the permanent annual appropriation of \$200,000 for arming the militia of the several States and Territories to \$600,000.

The Speaker laid before the House, on Monday, a communication from the Secretary of the Interior, in response to a resolution calling for an estimate of the amount of money which would be required to pay the pensions of the survivors of the Mexican and Indian wars prior to 1846, from which it appears that \$65,380,480 will be required to pay the Mexican war pensions, and \$28,201,632 to pay the Indian war pensions.

The House Committee on Education and Labor has reported adversely a bill to reimburse the College of William and Mary in the sum of \$65,000 for property destroyed during the late war.

The House Committee on Appropriations have decided to recommend non-concurrence with the Senate amendment to the Post-office Bill, restoring the franking privilege to Senators and Representatives.

The examination of Shipherd before the House Committee on Foreign Affairs was continued on March 22. The witness said that no offer of stock had been made to any officer, "diplomatic or otherwise," except General Hurlbut, and that no intimation had been made to him by any officer of a desire for an interest in the company, and that no officers of the United States had any interest in the company except Collector Robertson, of New York, who had received a retainer for legal services. The other testimony was in regard to the way in which Shipherd had become interested in the company, and other matters of minor importance. On Thursday the examination was continued, and Shipherd testified that overtures had been made to another member of Congress besides Senator Blair to accept a retainer from the company, but that it was finally declined, "on the sole ground that the interests involved might in some form come before Congress." When asked what were his motives for engaging the legal services of this gentleman—whether it was on account of his political relations to the Executive Department or simply for his legal ability—Mr. Shipherd replied that it was for "reasons purely personal to the member himself, as distinguished from any aid which he might render as a member of Congress." On Friday a physician's certificate was presented to the committee, stating that Mr. Shipherd was ill and would not be able to leave his room for several days, and the investigation was thereupon adjourned.

The Washington Post printed an interview with Mr. Blaine on the Chili-Peru question on Friday. Mr. Blaine maintained that "Peru is to be despoiled, and that the profits of the

spoliation are to be divided between Chili and the English bondholders and speculators," and says he thinks "the moral power of the United States judiciously exerted could have saved the autonomy of Peru," and that the talk of a possibility of a war with Chili was "arrant nonsense," and that, as the result now stands, "we have acquired the hatred of the Peruvians to the latest generation, and at least the contempt of the Chilians."

Señor Martinez, the Chilean Minister at Washington, has received official despatches from his Government confirming the authenticity of the text of the protocol agreed upon between the Chilean Government and Mr. Trescott, as already published. Señor Martinez says that the conditions set forth in the protocol represent the extreme limit of concession which Chili will grant to Peru.

The President has approved the act establishing the northern boundary of the State of Nebraska, the act relative to the lease of Government lands at Plattsburg, New York, and the act authorizing a railroad bridge across the Mississippi River at Wabasha, Minnesota.

Judge-Advocate-General Swain has made a report to the Secretary of War on the case of Sergeant Mason, in which he holds that the sentence of the court-martial is invalid on account of certain irregularities and informalities in the proceedings of the court. Immense petitions continue to be presented to the President asking for Mason's pardon.

The Secretary of War has issued a special order dismissing Cadet Whittaker from the Military Academy, on the recommendation of the Academy Board, because of deficiency in his studies.

The Secretary of the Treasury has received information that the investigation into the opium-smuggling transactions recently detected in San Francisco develops a scandalous conspiracy to defraud the Government on the part of certain city and Federal officers. The conspiracy was revealed through a correspondence conducted in the Chinese language.

Secretary Hunt received a cable despatch from Lieutenant Harber of the *Jeannette* search expedition on Saturday, announcing the arrival of himself and Master Schuetze at Irkutsk in good health.

Attorney-General Brewster has written a letter to Dallas Sanders, Assistant District Attorney of the United States at Charleston, S. C., urging the prosecution of the election cases there, beginning with the most influential persons accused.

It is said that there is little doubt that the Secretaryship of the Interior has been offered to Senator Teller, and that his nomination will be sent to the Senate in the latter part of the week.

Speaker Keifer has removed Mr. Hayes, the official stenographer of the House, apparently solely for political reasons, since Mr. Hayes is a Democrat. This action on the Speaker's part is without precedent, and will probably be the subject of discussion in the House in a few days.

The New York Board of Trade and Transportation have sent a letter to members of Congress enclosing a petition signed by 2,000 of the "best firm names" in New York, favoring the Lowell Bankruptcy Bill.

The Mormons are said to be strongly in favor of the appointment of non-residents of the Territory for Election Commissioners under the Edmunds bill, on the ground that the appointees to Federal offices in the Territory are "scalawags." The Gentiles, on the other hand, consider the Mormon unanimity for a commission of strangers a strong argument against it, and think that there is danger of non-residents not understanding the situation, and of their being, for that reason, "hoodwinked, tricked, or cajoled."

A report has been received in Washington from Captain Wheeler of the Engineer Corps,

the delegate of the United States to the Geographical Exhibition and Congress at Venice. Letters of distinction, which were the highest awards at the Exhibition, were awarded to the Corps of Military Engineers and to the Departments of War, the Navy, the Treasury, and the Post-office, for publications issued by these several departments on scientific and other subjects.

Mr. John H. Smyth, of North Carolina, was nominated by the President on Thursday to be Minister-Resident and Consul-General to Liberia, to succeed the late Dr. Garnet. "He is a young man, a lawyer by profession, and one of the blackest men in the world," and occupied the position of Minister to Liberia before Dr. Garnet's appointment.

Proceedings in the Star-route cases were begun in the Criminal Court at Washington on Saturday. The various counsel for the defence filed motions to quash the indictments, but the motions were not argued, and it was decided to postpone further hearing as to Dorsey and Brady until Friday next. The persons indicted in the straw-bond cases, however, were arraigned, and all entered a plea of not guilty. Attorney-General Brewster has decided not to fill the vacancy in the Star-route counsel caused by the retirement of Colonel W. A. Cook, but will select additional counsel to assist Mr. Bliss.

Mr. Charles H. Reed, counsel for Guiteau, has had an interview with General B. F. Butler at which he tried to persuade him to enter the Guiteau case for the defence. General Butler, however, declined to have anything to do with it.

The Republican Congressional Campaign Committee met in Washington on Monday night, and elected Mr. J. A. Hubbell, of Michigan, as chairman.

The strike at Lawrence, Mass., still continues. Nearly 5,000 persons are now out of employment. They are quiet, and no act of lawlessness has yet been reported.

The waters in the Mississippi Valley are slowly falling. Great suffering continues in some regions, however. The Secretary of War ordered that 250,000 rations be purchased in New Orleans on Saturday, for the use of the destitute people of the Mississippi, and that 100,000 rations be issued to the Commissioner of the State of Arkansas at Helena. This issuing of Government rations is said to be having a demoralizing effect on the negro laborers in certain sections, many of them refusing to do any work, saying that the Government would send them rations.

The American Association of the Red Cross has issued an appeal asking for contributions to send its agents among the sufferers by the recent floods, "with a view to ameliorating their condition, so far as it can be done by human aid."

Henry Wadsworth Longfellow died at Cambridge on Friday, having just entered on his seventy-sixth year.

FOREIGN.

A resolution was submitted to the Congress of the United States of Colombia at Bogota, on the 15th of February, calling upon the Executive to give a year's notice to the United States of the intention of the Government of Colombia to withdraw from the stipulations and obligations of the treaty of December 12, 1846, between the two countries. The Executive is authorized to enter into new treaties with the United States and the Spanish-American republics of the Continent, with a view to conciliating, if possible, all the legitimate interests concerned in the free transit of the Isthmus of Panama. Article 35 of the treaty of 1846 is particularly condemned as vague and not easy of interpretation, and likely to bring about discord between the contracting parties. The resolution was passed with a view to paving the way for a joint guarantee of neutrality between the republics of the New and the commercial nations of

the Old World in regard to the Panama Canal.

In the House of Commons on Monday evening there was an animated debate on the proposed rules of Parliamentary procedure. Mr. McCarthy assured the House that there had been no conspiracy of conciliation between the Home Rulers and Conservatives. Mr. Gladstone said he believed it was the general feeling of the House that a division should be taken on Thursday next. Mr. Thomas Sexton then announced that he had received a telegram from Messrs. Parnell, Dillon, and O'Kelly, stating that they had asked Mr. Forster for permission to be present at the division, and had undertaken to refrain from any other political action during their absence from prison, and to surrender after the division. Mr. Sexton asked whether permission would be granted, and the Speaker ruled that the question was disorderly. During the debate on the motion for adjournment the Parnellites declared that if fair play was not granted them, they would use all forms of the House to obstruct debate.

The O'Donoghue, replying to Justin McCarthy's circular to the Home Rulers, urging them to vote against the *clôture*, says that the defeat of Mr. Gladstone's Ministry would be fatal to the best interests of Ireland, since it would hand over the Land Act to those who would do their best to defeat its workings. He thinks that if wise counsels had prevailed, Ireland would already be contented, and that the *clôture* is the legitimate and necessary assertion of the power of a majority.

Mr. Forster made a speech in the House of Commons on Tuesday night, on the Irish situation, which was greatly cheered. He admitted that the Protection Act had not done a great deal, but declared it had done something, for it had prevented many outrages and murders. He said there were signs of hope in Ireland, but that outrages must be stopped, and if they were not, it would become his duty and the duty of the House of Commons to provide still stronger measures.

Outrages in Ireland appear to be increasing again. On Friday night a party of thirty armed men attacked the house of a farmer near Thurles, County Tipperary, but were repulsed by a party of police who killed one of the men. Another despatch reports a case in which a band of disguised men cut off the nose of a man because in a Poor-Law Guardian contest he canvassed in opposition to the candidate of the Land League. Other outrages of various kinds are reported.

There have been disturbances in Galway, Ireland, between the Eighty-eighth Regiment (the Connaught Rangers) and the Eighty-fourth, an English regiment. On Thursday night the Connaught regiment, assisted by a mob, attacked a picket of the English, and "cheered for Ireland." There were several bayonet wounds on both sides.

Mr. Parnell has declined to write letters from Kilmainham Jail, unless under very exceptional circumstances, as he objects to imposing on the governor of the jail "the unpleasant duty of reading private letters."

Patrick Egan, treasurer of the Land League, has received during the past month £22,000 from the branches of the League in the United States and the English colonies.

In a debate in the House of Commons on Wednesday evening, on a motion declaring in favor of the equalization of borough and county franchise, on a motion for adjournment of the debate, the vote was 192 to 137 against it. Mr. Gladstone had intimated that the vote would be taken as indicative of the opinion of the House on the main question. The result is considered as having settled the question that the regulation of the county franchise is clearly within the mission of the present Parliament.

In the House of Commons on Thursday, Mr. Gladstone moved an annuity of £10,000 for Prince Leopold, and a pension of £6,000 a

year for his widow in case of his death. Mr. Samuel Storey, Radical member for Sunderland, objected to "spending the public money in support of titled idleness," and Messrs. Labouchere, Broadhurst, and Healy also made speeches opposing the grant; while three members of the Government, Sir Charles Dilke, Under Foreign Secretary, Henry Fawcett, Postmaster-General, and George Otto Trevelyan, Secretary to the Admiralty, abstained from voting. The motion was passed by a vote of 387 to 42.

The case of Dr. Lamson, an American doctor who was recently convicted of poisoning a relative of his, and who has been sentenced to death, is exciting great interest among Americans abroad, a large meeting of whom was held in London on Monday to take some action in behalf of the prisoner. Many affidavits were read and much verbal testimony given, going to prove that he is insane, and a resolution was unanimously adopted requesting Mr. Lowell to urge a reprieve on the ground of insanity, the proofs of which were considered very strong and convincing.

An invitation, signed by 300 persons, including the Earl of Shaftesbury, Earl Cairns, Mr. Samuel Morley, Canons Farrar and Fleming, and a number of other prominent men, has been sent to Messrs. Moody and Sankey, who are now at Glasgow, asking them to spend a year in London in evangelical work.

The Emperor William's birthday was celebrated in Berlin on Wednesday, the 22d. The city was gayly decorated, and crowds cheered the Emperor. In replying to a deputation of the Conservative Central Committee, who presented an address expressing devotion to his Majesty, the Emperor said that "the times were serious, and considering that the Czar a year ago had fallen a victim to party anarchy, who could now feel himself safe?" The Emperor added that he had learned with pleasure that the country approved his recent message. Dinners were given to celebrate the occasion by the Czar and the Emperor Francis Joseph, in St. Petersburg and Vienna, respectively, at which the Emperor William was toasted.

The object of fixing the coronation of the Czar for a late date is said to be to permit the exhibition at Moscow, which will open in May, to be closed before the occurrence of the ceremony. It is thought that if the two events were to occur simultaneously, the great concourse of people attending the exhibition would give an opportunity to the Nihilists who, as is shown by recent arrests, are concentrating their forces in Moscow.

General Skobeleff, speaking at a banquet in his honor in St. Petersburg, on Wednesday evening, toasted the British nation, and referred warmly to the friendly relations between England and Russia.

The London *Jewish World* received a telegram from St. Petersburg recently, stating that the Czar had refused to confirm the recommendations of the Commission on the Jewish question (that the Jews be compelled to quit the rural districts) on the ground that such expulsion would almost ruin agriculture, and that the recommendations are generally conceived in a vindictive spirit. It is reported that General Ignatieff has ordered all the Jewish chemists of St. Petersburg to sell their businesses.

The Turkish Government, after much delay, has granted permission to a Russian transport, with convicts and troops for Siberia, to pass through the Bosphorus, on the condition that this permission be considered unique and shall never be cited as a precedent.

The Governments of England and France have instructed their representatives in Egypt to request of the Khedive a special hypothecation of the revenues assigned to the service of the international debt, and the other Powers have approved the demand.

Despatches from Tunis state that the Italian Consul has made a formal protest against the concession of the esparto monopoly to a

French company as a flagrant violation of the treaty between Italy and the Bey of Tunis. Sir Charles Dilke also stated in the House of Commons on Thursday that Lord Lyons, the British Ambassador at Paris, had been instructed to call the attention of the French Government to the esparto monopoly in Tunis.

Eight French generals are said to have assembled in Tunis to form a definite plan for a campaign in the south of Tunis.

In the French Chamber of Deputies on Tuesday a credit of 8,000,000 francs for the Tunis expedition for the second half of the current year was voted.

The French Budget Committee has been elected. It is largely favorable to M. Say's financial proposals.

The bill to repeal the prohibition of American pork has been the subject of discussion in the Chamber for the last few days, and on Tuesday it was passed with an amendment authorizing Minister Tirard to prescribe the mode of inspection.

The Committee on Petitions of the French Chamber of Deputies, after conferring with M. de Freycinet, the Prime Minister, as to the best means of ending the scandal of the Monaco gaming tables, has decided that the subject is not one for the consideration of the Chamber, but for diplomatic action.

A Paris despatch states that the Governments of France and the United States have formally notified the powers that the re-assembling of the Monetary Conference must be indefinitely postponed. The object of the postponement is said to be "to allow public opinion in England to ripen."

Statements have been made to the effect that the Emperor Francis Joseph was meditating a visit to King Humbert, but negotiations have been suspended since the Italian Ambassador intimated that King Humbert would be happy to welcome the Emperor in Rome, which appears to have displeased Francis Joseph, as he had formerly shown great consideration in meeting the King of Italy in Venice. A meeting in Rome is regarded as out of the question, since a meeting there would certainly offend the Pope.

Signor Magliani, the Italian Minister of Finance, presented his financial statement to the Chamber of Deputies on Saturday, from which it would appear that Italian finances are in a flourishing condition. The ordinary receipts exceeded the ordinary expenditures for the year 1881 by 140,000,000 lire. The surplus for 1882 is estimated at 7,000,000 lire, in spite of an additional 12,000,000 allotted for army purposes. The Minister of Finance gives absolute assurances that the abolition of the forced currency will be completely accomplished as soon as the Treasury obtains a sufficient metallic reserve.

At a consistory held on Monday the Pope created seven Cardinals, including Archbishops McCabe of Dublin, Lavigerie of Algiers, and Luch of Seville. The Pope afterward delivered an allocution on the position of the Church. On Saturday he received Archbishop McCabe with the greatest cordiality.

Four hundred and fifty peasants from the Bernese Oberland have left for the United States. The emigrants are described as the flower of the population, and are mostly possessed of fair means, but are compelled to emigrate by the depression of agriculture.

Despatches from Madrid foreshadow a ministerial crisis in connection with the financial schemes of the Ministry.

A despatch from Pesth reports that sixty houses and fifty outbuildings at Böszörf, Hungary, and 248 houses at Paka, have been burned, leaving several hundred families in a destitute condition.

M. Sully Prudhomme has been received at the French Academy as the successor to Prosper Duvergier de Hauranne, deceased.

TUESDAY, March 28, 1882.

MORE OF MR. BLAINE'S INTERNATIONAL LAW.

THE interview with Mr. Blaine on the Chilean treatment of Peru, which appeared in the *Washington Post* on Friday morning, increases the difficulty which we have all along experienced in discussing Mr. Blaine's foreign policy. This difficulty arises out of the fact that no study of his writings on international law will enable even the most perspicacious mind to discover what are his notions of the rights and duties of a friendly neutral toward two belligerents. That they are not those of any of the accepted text-books is, after all, a small matter, because a candidate for the Presidency may fairly be allowed to construct a system of international law of his own. But the fact that it does not seem possible to adapt them to any state of affairs now existing, or likely to exist, on this globe, is a very serious matter. He has laid it down that though a conqueror may exact the cession of territory as the result of his conquest, yet he ought not to do so until he has asked for and failed to receive a cash indemnity—a doctrine which is absolutely novel. He has also declared that the conqueror is not "a safe or impartial judge" in the decision of the question whether the conquered shall pay in money or in land, but is bound to allow it to be settled by a neutral. He has also ruled, that in order to justify a neutral in recognizing a government, it is not necessary that it should be a *de facto* government whose authority is obeyed by the population over which it claims jurisdiction; that all that is needed is that it should be a government which the neutral likes, and thinks would govern well if it got a chance. Finally, he treats the arrest of such a government by the conqueror, and confinement in prison, as something in the nature of a *casus belli* as regards any neutral which may have recognized it. All this is very startling.

In the interview published as above he is, if possible, still more novel and entertaining. Commenting on the lately reported Chilean protocol of the agreement with Mr. Trescott, he treats Mr. Frelinghuysen's instructions to Mr. Trescott not "to dictate or make authoritative utterances" to either Chili or Peru as to the terms on which they should make peace, as a concession that the English bondholders should "have their own way, with none to molest them or make them afraid." As the English bondholders are simply persons who have lent Peru money, it is difficult to see why they should be "molested or made afraid" by anybody as long as they are not engaged in crime, and more difficult than all to see why our Government, which has a great many English bondholders of its own, should be bound to see that Peru's English bondholders were alarmed or annoyed.

Mr. Blaine comments with much severity on the proposed annexation of the district of Tacna besides Tarapaca, and says Chili has added this on to her original demand since Mr. Trescott arrived with his new instructions. But we believe we are right in saying that Mr. Blaine never knew what Chili's original demand was. He only guessed it; so that what has now been revealed to him is not that Chili is asking more than she be-

gan by asking, but more than he thought she was going to ask, his notions of Peruvian geography having all along been exceedingly and, to some people, amusingly vague. All this he holds to be distinctly "discourteous" to the United States, but what he must mean is that it is discourteous to himself. There is no more discourtesy to the United States in this than in the annexation of Alsace and Lorraine by Germany, or of Bosnia and Herzegovina by Austria; but it is discourteous to Mr. Blaine to pay no attention whatever to his utterances on international law, and of this Chili has been distinctly guilty, and ought to suffer the consequences of it, whatever they be.

He is especially severe on the Chileans for advertising for bids for 1,000,000 tons of the Lobos Islands guano, which is to be paid for, he says, "in good sterling exchange—English money, mark you—at ninety days' sight." It is almost painful to quote this remark from a man who has filled as high places as Mr. Blaine has done in the Government of his own country, because it shows so much curious ignorance of the parts played by "bills on London" in commercial transactions all over the globe. The suggestion that there is something significant politically in the exaction of "payment, in English money, mark you," is worthy of the attention of Mr. Gilbert, the versatile author of "Pinafore" and "Patience," particularly as he goes on to point out with increasing solemnity that the guano will be carried away in English ships, "making a larger freightage than the cotton of the United States annually taken beyond the seas." It will undoubtedly be taken, as the American cotton is, in the ships of whatever nations offer freight at the lowest rates. This is the way, surprising as it may seem to Mr. Blaine, in which both guano and cotton dealers do business. They always hire ships with a view to profit, never for the glory of a particular flag. He closes with the following lamentation, which we trust is misreported:

"For American interests it was the opportunity of a century, and it was blindly sacrificed. The commercial interests of this country in South America will not in fifty years recover what has been lost and what was in its power to acquire. Our interests are not only totally destroyed in Chili and Peru, but our prestige is impaired in all South America—indeed, in all Spanish America, both continental and insular. The present generation will not witness the recovery of that which has been lost within the last ninety days."

"When you speak of commercial interests, Mr. Blaine, do you mean the shipping interests?" "I mean that," said Mr. Blaine; "but not that alone. I mean the entire interchange of commodities, the supplying of manufactured articles and raw material, the concentration in our commercial cities of a share of that which will now go wholly to London and Liverpool. The trade of the west coast of South America from this time forward will be as much in the hands of Great Britain as the trade of British India. But this opens a large subject, and I have neither time nor inclination to pursue it to-day."

We incline to think this misreported, because Mr. Blaine can hardly be as ill-informed as it would make him appear. He is not a Wilkins Micawber, and, whatever his defects as a lawyer, has shown himself a shrewd business man. The exports of the United States to Peru in 1881 amounted to \$109,696; the imports from Peru to \$781,911. If this business should "go wholly to London and Liverpool," and the present gene-

ration should be unable to get it back, it would cause a convulsion and a sense of "goneness" in the United States somewhat resembling those resulting from the failure of a dry-goods store in Bangor, Me. We have no returns of the British dealings with Peru later than 1879, but in that year the importations from Peru to Great Britain amounted to \$16,942,660; the exports to Peru to \$3,737,000. To crown all, the Peruvian foreign debt of nearly \$200,000,000 is held almost exclusively in England, as is shown by the great preponderance of Peruvian exports to England over the amount of imports from England. Whenever American politicians get it into their heads with clearness that commerce goes where the market is good, and cannot be fostered by diplomatic meddling, or intrigue, or war, or high tariffs, or bounties, we shall undoubtedly get the South American business which London and Liverpool now do, but not sooner.

THE IRISH-AMERICAN "SUSPECTS."

THE answer of Sir Charles Dilke in the House of Commons on Friday, that the British Government was considering the representations made by ours on behalf of the imprisoned Irish-American "suspects," shows that the Irish-Americans are in more ways than was supposed a source of considerable embarrassment to the Ministry. What distinguishes the present trouble in Ireland from all those which have preceded it is the extent to which it has been promoted by money and encouragement from this side of the water. The Fenian outbreak in 1866 had, it is true, its origin largely in the United States, but the Fenian movement was a small and insignificant affair compared to the Land League. The former was essentially a military enterprise, and was therefore more easily dealt with than any other mode of expressing discontent. All that was needed to bring it to an end was a collision between the Fenian forces and the troops or police. When this occurred the movement collapsed, and fortunately it occurred with little or no bloodshed. The writer of a curious and interesting historical sketch of it in the last *Fortnightly Review* gives an amusing account of the one battle of the war in which the preparations, as far as entrenchment and the marking of distances in the line of approach went, were worthy of Bunker Hill. When the assaulting line, however, reached the fatal spot at which they were to receive the first volley, and the Fenian commander ordered a low and destructive fire, his troops appear to have been so much impressed by the absurdity of the situation that they abandoned him and the redoubt at the double, because, as one of them explained to a friend, "it was little like rebellion he felt, and the devil a differ he saw from yesterday." Moreover, the Fenian movement had no social side to it. It was purely political. It aimed at the establishment of some kind of republic, but not at a revision of the property laws.

Such as it was, however, it would never have come to anything if it had not been projected and supported in the United States. Its gravity in the eyes of the English Government was in fact largely due to the revelation it

made of the change which the Irish emigration to the United States had wrought in the Irish problem. It was clear that thereafter it was not with the malcontents in Ireland only that the Government would have to contend, but the malcontents in the United States also, whom the improvements in the means of communication were every day bringing nearer to their old home. The importance of the change was, however, not fully manifest till now. It is plain that the Land League, which is the most troublesome Irish organization with which the British Government has ever had to deal, would not have existed at all, or at all events have never assumed the proportions which it did assume, but for the money which came from America, and but for the encouragement given to it by Irish-American orators and newspaper writers. How valuable they have been to the cause was shown in a remarkable way by Parnell's change of policy with regard to the Land Act. He at first gave in his adhesion to it, but finding that his American allies were opposed to any such compromise, he turned round suddenly and began denouncing it and preaching the no-rent or next-to-no-rent doctrine.

It would of course be absurd for the English Government to shut up the Irish propagandist of the League, and let the Irish-Americans continue the work, for every Irish-American counts for at least five Irish-Englishmen as an apostle of sedition. The fact that he comes from "the States" gives his words a potency and promise in the eyes of the peasantry which those of the stay-at-homes never have. If he were to have his way, there would really be no use in keeping the Coercion Bill in force. But he is nominally a foreigner, and is nominally protected by the American flag. Consequently when he is put into a "dungeon," for the very things for which British subjects are put into jail, he does not seek relief in profane swearing simply: he appeals to the unfortunate United States Minister in London to achieve his deliverance, so that he can return to his old work. In fact, what he seeks is a kind of safe conduct, to protect him against the Irish police while he is engaged in encouraging the people to defy the Government and resist the law.

Of course one answer to him is ready and forcible enough—that he is either an American or an Irishman; that if an American, he must abstain from mixing himself up in foreign troubles; that if an Irishman, he must submit to the law and go to jail on the Chief Secretary's warrant. But this, though it may close the mouth of the man who is bawling from "the dungeon," does not relieve our Government from all embarrassment. No matter how culpable the Irish-American agitators may be, or how much they may deserve their dungeons, we can hardly admit that they may be punished without trial, or subjected to whatever punishment foreign law may prescribe. There is a limit to the operation of the doctrine that a man who goes to a foreign country must submit himself to the same laws as the natives. We do not permit this doctrine to be applied to our citizens living in barbarous countries like China, or Turkey, or Egypt. The reason we do not is, that we doubt the fairness of their judicial proceedings, and think their punish-

ments from our point of view cruel and unusual. We submit our citizens to the law of civilized countries because ordinarily, if charged with offences, they will have a trial, and because, if convicted, they will be subjected to such penalties as we approve of and use ourselves. We certainly should not so submit them if they were exposed to imprisonment or other punishments without trial for an indefinite period. The difficulties the British Government will have in providing different treatment for the American suspects from that which they accord to the Irish suspects will undoubtedly be great, and undoubtedly the Irish-American agitators do not deserve it. But nevertheless we do not see how our Government can avoid asking for it. We cannot concede the liability of American citizens, living on foreign soil, to long terms of imprisonment without any investigation whatever, however much we may disapprove of the persons who raise the question.

THE OLDEST OF EMPERORS.

ON March 22 William I., Emperor of Germany and King of Prussia, completed the eighty-fifth year of his life. His career is equally remarkable for its length and its striking historical features. He entered Paris as captain in the victorious German army in 1814 and again in 1815. In 1848, when the revolution had overpowered his brother, King Frederic William IV., he fled to England, covered with derision. In 1849 he commanded the army which was to give the *coup de grâce* to the revolution in Germany, escaped an attempt on his life, quelled the Baden insurrection, and by his rigor made himself an object of execration. In 1857, as the lieutenant of his mentally disabled brother, he inaugurated, amid general plaudits, the "new era" in Prussian politics. Crowned King in 1861, he proclaimed himself a ruler by right divine, was shot at by Oscar Becker, a democratic student, and, through Von Bismarck-Schönhausen, opened the period of "conflict" with the Parliament. This was ended by the armed conflict with Austria and South Germany in 1866, and returning in triumph from the battle-field of Sadowa, he became the master of North Germany and the royal hero of the German nation. In 1870 he boldly took up the gauntlet thrown down to him by Napoleon III., invaded France, and sent her Emperor and her armies captives to Germany; and in 1871 had himself proclaimed Emperor of the united Fatherland at the château of Versailles, reduced Paris, dictated peace, and annexed Alsace-Lorraine to his empire.

It was not his own genius or sword which achieved these successes, unparalleled in all history, but he knew how to rely on Bismarck for diplomacy, and on Moltke for strategy, and he shared the toils and dangers of his armies, while his son and nephew stood at the heads of them. He was now the ruler of the most powerful empire on earth, and he meant to advance it on a path marked out by moderate Liberalism. Liberalism involved it in a struggle with Ultramontanism, not yet ended, and great moderation provoked new regicidal attempts. Hödel's bullets, in May, 1878, inflicted no harm, but Nobiling's shot nearly

proved fatal, and caused acute pain and long illness. The Emperor bore his sufferings and perils with fortitude, and, after employing some rigorous measures, allowed his Chancellor to adopt a scheme of social reforms partly coinciding with the demands of the political camp from which the murderous assaults had emanated. When his nephew, Alexander II., fell a victim to the fanaticism of more relentless foes, William refused to resort to exceptional measures of precaution, declaring all such to be futile. In January, 1882, in an incipient new conflict with the Parliament, he emphatically asserted his right not only to reign but to govern. Firmness and vigor, in fact, characterize the whole of this remarkable career—qualities which new trials may possibly show in even brighter light, or ultimately baffle. This career may still be prolonged, and the teaching of the Athenian sage forbids us to declare it happy before it is ended.

Long reigns are rare in history, long royal lives much rarer still. Princes occupy one of the lowest levels in the whole range of longevity. The air of courts is destructive of health, nerve, and vigor. Lives which early corruption, luxurious and effeminate habits, unchecked passions, and unceasing excitement do not undermine, are frequently shortened by consuming ambition or care, warlike toil and peril, or the murderous hand of conspiracy. Among the remarkably long reigns in history are those of Uzziah of Judah (fifty-two years), Mithridates of Pontus (fifty-seven), Sapor II. of Persia (seventy-one), Alfonso I. of Portugal (seventy-three), Frederic III. of Germany (fifty-three), Christian IV. of Denmark (sixty), Louis XIV. of France (seventy-two), George III. of England (fifty-nine), Ferdinand IV. of Naples (sixty-five), and Pedro II. of Brazil (fifty-one till now). But Uzziah was a youth when he was placed on the throne, Mithridates a boy, Sapor a newborn babe, Alfonso an infant, Christian eleven years old, Louis four, Ferdinand nine, and Pedro five; and of all the monarchs mentioned only George III. reached the age of fourscore. Poland had one King who lived to the age of eighty-eight, Stanislas Leszczyński; but he reigned only five years, and survived his throne fifty-six years, living in quiet retirement. We must go back to the days of antiquity to find William I.'s royal peers in age, and the only ones we discover are Hiero II. of Syracuse, and Masinissa of Numidia, both of whom ended their reign at the age of about ninety. The reign of Rameses II., Pharaoh of Egypt—the Sesostris of the Greeks—is believed by some Egyptologists to have lasted about sixty-seven years, and his life about one hundred, but others reduce both his reign and his days to normal proportions. Thus no emperor known to history, no reigning king in Christendom, ever reached the age of William I. Our age boasts of this extraordinary royal life, as it does of the only Pontificate, that of Pius IX., which exceeded the term of St. Peter. And Berlin, which still often sees its Emperor-King on horseback, also saw in 1859 Alexander von Humboldt give the last touches to his "Kosmos" in his ninetieth year; Raumer, in 1873, officiate as professor

in his ninety-second; Field-Marshal Wrangel, in 1877, walk its streets in his ninety-fourth; and Ranke, in 1881, issue the first part of a universal history intended to embrace eighteen volumes, in his eighty-sixth. Moltke, who is not yet eighty-two, must thus appear to the German capital and nation as a man still available for action for many a year to come.

THE ENGLISH RADICALS AND THE ROYAL MARRIAGES

It was very awkward for Mr. Fawcett, Sir Charles Dilke, and Mr. Chamberlain that another royal marriage should have been projected during their term of office, for they all voted against the last grant made by way of a marriage portion to the Duke of Connaught, on his marriage in 1879 to the Princess Louise Marguerite of Prussia. Accordingly, they were obliged the other day, when provision was proposed, at the Queen's request, for Prince Leopold on his marriage with another German princess, to walk out of the House on the division. Consistency, if not principle, forbade their voting for it, and their place as Cabinet Ministers forbade their voting against it. Whatever arguments were used against the grants in the former cases, certainly retain all their force in this case, for Prince Leopold seems to be better fitted than any of his family for a single and retired life. He is a man of a studious turn and very delicate health. The scene in the Commons was made more awkward by some of the Radicals, including of course Mr. Bright, refusing to take off their hats, according to custom, while the Queen's message asking for the grant was being read.

The question, what is to be done in this matter, is a very serious one for the Liberals, and likely to become more so. There was no large royal family in England after the expulsion of the Stuarts until George the Third. Queen Anne's numerous children died in infancy. The monarchy was thus saved the very serious strain which a large number of princes and princesses always puts on people's loyalty, except, perhaps, in Prussia, where they are made to work hard and it is fashionable to be poor and live simply. The position of princes is difficult everywhere, and it is unusually difficult in England, where they have nothing to do, and are exposed from their infancy to the adulation and temptations of a very wealthy society. George the Third had a large family of boys, whose vices and debts were the great scandal of English life at the close of the last century, and at times almost put the monarchy in peril. Luckily, they had but few children. George the Fourth's only child died soon after her marriage. The Duke of Kent's only child was the present Queen. The Duke of Cumberland succeeded to the throne of Hanover, and transferred himself to that kingdom with his family. The Duke of Clarence (William IV.) had none, and neither had the Duke of York. The Duke of Cambridge had three, one of whom—the present Duke—has never married. One daughter has gone to Germany as Grand Duchess of Mecklenburg Strelitz, and another has become the Princess of Teck, and lives on very small means in England, and has several children.

In one way or another, when the present Queen came to the throne the royal family had been greatly diminished. Its objectionable members were all dead, and she was left a clear field for the work, which she has so happily performed, of presenting royalty to the people in an aspect which it had not worn for a century—that of a pure, decorous, and highly respectable institution, which the British father could exhibit to his wife and daughters without a blush, and which did not, considering everything, cost very much.

Within the last twenty years, however, the old difficulty of a great number of princesses and princes who have to be supported in idleness, in the midst of a most luxurious society, has arisen again. The Queen has had eight children, all of whom have had to be provided for by Parliament on their marriage, and only two of whom have settled in foreign countries and thus cut their descendants off from any further claims on the British Treasury. She has, moreover, ten grandchildren resident and to be resident in England, not to speak of the four children of the Princess of Teck, who are not likely to follow any calling, and have no property, or next to none. It is indeed a moderate estimate to say that ten years hence the British nation will have close on forty members of the royal family to provide for in some way, and they must be provided for with a certain liberality, on pain of seeing royalty cheapened or degraded by the spectacle of persons of the royal blood leading a shabby existence in the midst of the wealthiest society in the world.

Parliament has not shown much disposition to do anything very handsome for the Queen's children since the marriage of the Prince of Wales and of the Princess Royal, and the disposition to be stingy grows. The refusal of some Cabinet Ministers to vote on the grant to Prince Leopold shows how far the disinclination to be liberal in this matter has now gone. It is safe to say it is likely to go further. In spite of the popularity of the Queen, the dislike of the voters in the towns to donations of money to idle people steadily grows, and it promises between now and the end of the century to raise some very embarrassing questions, on which London and the provinces are likely to be even more divided in sentiment than they now are. London society, which is idle, rich, and luxurious, and gets a great deal of its excitement out of the doings of the court circle, thinks the money given to royal personages well spent. The provinces, which are serious, industrious, and increasingly commercial in their spirit, and see little of the royal family, have a growing dislike of giving money to fine ladies and gentlemen; and the Prince of Wales, though very popular, does little to combat this feeling by the nature of his occupations, or by the company he keeps. In old times it was comparatively easy to avoid these troubles by quartering royal personages on the Army and the pension list. But the pension list is gone. All, or nearly all, the sinecures which royal personages could take have disappeared. The reformer, too, has laid hold of the Army, and

it will not be possible to maintain, after the Duke of Cambridge's disappearance, the old theory which made it in a special sense the property of the Crown, and gave the "Horse Guards" a sort of quasi-independence of Parliamentary control. The Duke of Connaught works hard as a military officer, but none of the Queen's sons has displayed enough ability to enable a Minister to put him in any high place as the man best fitted to fill it. A batch of her grandsons, too, are now coming forward, who will still further complicate the problem with which the sons are contending.

The effect of the multiplicity of princes on the popular respect for royalty has yet to be seen, but there is no question that it must suffer unless upheld by larger endowments than seem at all likely to be forthcoming. Strong as is the respect of the English people for royalty, there is something for which their respect is still stronger, and that is money. There is no country in the world in which "a poor gentleman" is held in so little respect; and the free circulation of a body of poor princes would be something which the British Constitution makes no provision for, and would have difficulty in bearing, even if they were men of clean lives, paid their debts, and did not sponge on their friends. In fact, complaints about royal sponging already begin to be heard among the aristocracy, which is not so rich as it used to be, and does not enjoy long royal visits. It is here probably that the weakest side of constitutional monarchy during the next fifty years will be found.

LONGFELLOW'S POETRY.

It is nearly forty years since Margaret Fuller, writing in the *New York Tribune*, startled the proprietors of Boston by some sharp criticisms on Longfellow and Lowell, then in the first flush of their fame. She declared Lowell's early poems to be crude and imitative, and those of Longfellow to be, in a great degree, "exotic." Each poet met the charge in his own way—Lowell with brilliant sarcasm, and Longfellow with good-natured indifference. Public sympathy went with them; but we can now see, at this distance of scene, how each profited by these criticisms. Lowell dropped from his collected works the greater part of his early poems, and Longfellow soon achieved his greatest successes by boldly drawing strength from his own soil.

In justice to Margaret Fuller it must be remembered that she was one of the first to recognize the pure and elevating tone of Longfellow's verse, and to defend him cordially from the charge of plagiarism, as brought in those days by Poe and others. But she pointed out, with some truth, that it was at first his tendency to offer us, as she pointedly phrased it, "flowers of all climes, and wild flowers of none"; that in the pretty prelude to "Voices of the Night," for instance, which all schoolgirls were then reciting, he sought the woods at "Pentecost" and found "bishop's caps," when both of these words came really out of books, and did not habitually pass current on any New England hillside. She also said, with perfect truth, that in the "Spanish Student"—then his only long poem—the execution was to a certain extent "academical"; and she instanced as works of far more promise on his part such short poems as "The Village Blacksmith" and "To the Driving Cloud," which she considered to be, so to speak, indigenous. These criticisms

were expressed somewhat abruptly, no doubt, for tact, which has been called the virtue of cowards, certainly was not Miss Fuller's prime merit; but it will always remain doubtful whether, without them, we should have had "Evangeline" and "Hiawatha."

It is impossible to say, at this distance of time, how much of Longfellow's poetic change of base was due to criticism and how much to inward development. It is to be noticed that he had already published a few other poems essentially American in *motif* besides those Miss Fuller mentioned; among which should especially be named the "Skeleton in Armor" and the "Wreck of the Hesperus." It is at any rate certain that from this time he dwelt more and more upon these home themes which he had been accused of discarding, so that he soon became as essentially national in his poetic spirit as Emerson or Whittier. It is now clear that his great successes, his signal triumphs, were won by throwing himself wholly upon cis-Atlantic themes in "Evangeline" and "Hiawatha." The visible public response must have confirmed this tendency. There is in Alibone a table of the complete sales of each of his books up to 1857. It appears from this that of 'Hiawatha' fifty thousand copies were sold in two years, while of 'Voices of the Night' only forty-three thousand copies had been sold in eighteen years; and no other of his books had obtained a circulation as large as either. Of 'Evangeline' thirty-seven thousand copies had been sold in ten years, while of the 'Golden Legend' only seventeen thousand copies had been sold in six years, and of 'Hyperion' only fourteen thousand in eighteen years. For any other poet the least of these figures would, no doubt, be a good showing; nevertheless there is much to be learned by this comparison of statistics. The test of foreign popularity was even more conclusive. 'Evangeline' has been translated six times into German, thrice into Swedish, thrice into French, twice into Italian, besides Danish, Spanish, Portuguese, and Polish versions—making eighteen translations in eight languages. 'Hiawatha' has been rendered four times in German, besides versions in French, Italian, Swedish, Danish, Dutch, Polish, and Latin—eleven translations in ten languages. 'The Golden Legend' has been translated into four languages; 'Miles Standish' into three; 'The Spanish Student' into two—the Spanish not being one of these. It would be impossible to have more conclusive evidence that a national flavor gives a supreme advantage, at home and abroad, in respect to popularity; and it is impossible not to suspect that Mr. Longfellow might have gone on writing 'Spanish Students' to the end of his life—had such a thing been possible—without securing the fame given him by a newer theme. Popularity is of course but one of the tests to be applied, yet on the career of an author like Longfellow, who never seeks inexplicable depths or dim altitudes, it has an important bearing. In his case, at least, popularity at home and abroad was largely increased by a more marked national tone. It was not enough for him to be a poet of the human heart and conscience: the special soil on which he grew had something to yield him.

But in becoming, like Whittier, a national poet, Longfellow's execution remained as unlike Whittier's as before. The calm and imaginative treatment of the "Poems on Slavery"—valuable and even powerful as it was—was different in kind from the Tyrtæus-like strains which Whittier had sent forth. Lowell's first anti-slavery poetry had so resembled Whittier's that when his "Verses Suggested by the Present Crisis" appeared anonymously, every one supposed them to come from the elder bard. Longfellow's poems had absolutely nothing in them that could

suggest any such resemblance, apart from the theme; yet they brought aid to the anti-slavery movement from a source that weighed far more with conservative circles than did those of the other two, both of whom were then quite out of favor with good society. On the other hand, it unfortunately happened, for some cause easy to conjecture, that in the first illustrated edition of Longfellow's poems, published by Cary & Hart in Philadelphia, in 1845, these anti-slavery verses were omitted; and this inevitably led to some unkind criticism, which was not allayed by the fact that they were included in a complete cheap edition published in Cambridge about the same time. Still, these poems had their undoubted influence on the times, and Mr. Longfellow's faithful intimacy with Charles Sumner left his own position clear. He was thenceforth well understood to bear the same sort of relation to Whittier and Lowell that Dr. Channing bore to Garrison: to have a temperament less aggressive, but principles equally firm.

In comparing his American ballads also with those of Whittier the reader is struck by a corresponding difference. In both cases the chosen themes might be cis-Atlantic, but in Longfellow's treatment the enveloping atmosphere had almost always a slight and not unpleasant foreignness; very much as George Fuller throws about his American figures something of the same encircling haze that charms us in the peasant-pictures of the French Millet. Whittier was also more literal; he was almost always true to his legend, except where, as in the case of his "Amy Wentworth," he manufactured it outright; while Longfellow, as in his "Lady Wentworth," took the historical fact and transformed it very considerably for dramatic effect.

After all, each writer must work after his kind; and, as the Italians call Vandyck "il pittore cavalleresco"—the quality being imputed to the painter, not to the sitters—so it is impossible that Longfellow should not be a poet of the picturesque and even of the chivalrous, wherever he may choose his themes. This makes a difference between his and the Quaker hand, though their subjects be never so similar; and then Longfellow's perfect execution—so far beyond Whittier's—gives to his best local and legendary poems, as in the case of "Paul Revere's Ride," an excellence beyond all competitors.

Yet it is inevitable that precisely this admirable execution should have led to some criticisms which a cloudier or clumsier poet would have escaped. It is this quality which is chiefly responsible for the discussions which have always taken place, and will now doubtless be renewed, as to his rank among poets. Whatever we miss in Longfellow, we never miss the perfection of crystallization. Now this is a thing that all enjoy for the moment, but all do not praise afterward. We like what is easily understood, but there is also an enjoyment of what is difficult to comprehend. There may be a mere pride in the unintelligible, just as the possessor of an autograph letter from Rufus Choate or Horace Greeley dwells with pride on the fact that nobody can make out a line of it. Then there is something more to be taken into account. That tempting phrase of Coleridge's has much to answer for—"the kind of obscurity which is a compliment to the reader." Coleridge himself certainly flattered his readers pretty profusely, if this be the standard, while Longfellow, though he wrote from Coleridge's own inkstand, drew from it no such ink. There is undoubtedly a profound delight in poems like many in Browning's 'Men and Women,' which seem to be inexhaustible in what they yield to you, because they yield very slowly. They are like the fountain called "La Roche qui pleure" at Fontainebleau, which gives the thirsty traveller only a drop at

a time, but you can always go back to it and be sure of another drop. Shall we, therefore, do injustice to Longfellow's ever-fresh and ever-living spring? As we turn the leaves of his books each page tells an experience, utters an emotion, or affords a thought; each page, like each day in the life of his "village blacksmith," offers "something attempted, something done." If you say that, after all, the very ease of the execution shows that the work is not difficult to do, the answer is obvious, why does not some one else do it? After all, poetry has two factors—the thought or emotion and the expression—and the success lies in the just combination of the two. Grant that we or our cousins and friends get up every morning with thoughts profounder than any of Longfellow's, it does the world no good unless we express them. Take the poets we proclaim as greater than Longfellow—Browning, for instance, or Emerson—and how often they fail to express their thoughts so that anybody can enjoy them without a course of lessons from an experienced professor! If we admit as true for poets what Ruskin says of painters, that "it is in the perfection and precision of the instantaneous line that the claim to immortality is made," we must say that no American up to this time has built his fame on surer grounds than Longfellow.

And, after all, while the great loss is fresh upon us, one has not the heart to analyze the gradations of merit. It is enough to know that the historic house to which so many eyes have turned for half a century is henceforth but a vacant socket, with its light gone out; that the generous hand which never moved but to bless others is now forever still. So many books, so many songs, so many themes for song; and yet now the accumulated resources of the human race are powerless to obtain for us another verse from Longfellow! Last Sunday afternoon the snows fell thick across the meadows which the poet described so vividly in his "Afternoon in February":

"The snow recommences;
The buried fence
Mark no longer
The road o'er the plain,
While through the meadows,
Like fearful shadows,
Slowly passes
A funeral train."

But this time the train that passed was the poet's own funeral, and there was no one to set its mournful requiem to music. Let us be glad that, in these days of doubt and uncertainty, there was one man for whom death had no real gloom, and who could look forward with absolute confidence to meeting those whom he had loved clothed in new angelhood, within their Father's House.

ADMINISTRATION OF THE CITY OF BERLIN.—II.

THE municipal assembly (*Stadterordneten-Versammlung*) is the body which corresponds to a State legislature. It consists in Berlin of 108 members, which can hardly be considered too large a number to represent a city which is as large as some States. For purposes of election, the city is divided into districts (*Wahlbezirke*). Each class elects one-third of the representatives. The representatives are elected for six years, the term of one-third expiring every two years. At the end of the second and fourth years after the adoption of the *Städteordnung* it was determined by lot who should retire. Two thirds of the representatives are thus always experienced men. They receive no pay—this is an important point—as their office is one of honor (*Ehrenamt*). One-half of the number of representatives must possess houses (those who enjoy the usufruct of a house, *Niessbraucher*, are considered house-possessors). Neither father and son nor brothers are allowed to be members of

the city council or assembly at the same time. The assembly meets every Thursday afternoon in the city hall (*Rathhaus*). Its meetings are public.

The magistracy is the executive branch of the city government. It is a collegiate body consisting of thirty-four members, one-half of whom are paid. Father and son, father-in-law and son-in-law, brothers and brothers-in-law, may not be members of the magistracy at the same time. At the head of the college of magistrates stand the *Oberbürgermeister* (chief-mayor) and *Bürgermeister* (mayor). The mayor and paid magistrates, whose whole time is consumed by their duties, are elected by the municipal assembly for twelve years, and have a right to a pension in case they are not reelected. The other members of the magistracy are elected for six years, one-half of them retiring at the expiration of each three years. The members of the magistracy must be confirmed by the King or some branch of the state government. In the college of magistrates and in the assembly the majority rules.

The functions of the municipal assembly resemble those of an ordinary legislative body. They discuss all matters pertaining to the administration of the city, but are not allowed to execute their resolutions. The magistracy must do this, or, if it refuses—as it must in case the resolutions are illegal, transcend the competency of the assembly, or are calculated to do injury to the state or public welfare—it is obliged to transmit the reasons for its refusal to this assembly. If, even after a commission consisting of representatives of both bodies has considered the matter, no amicable adjustment can be reached, the matter is laid before some branch of the state government. The practical result is that this government, taking upon itself to decide, performs duties which really belong to the city authorities, or, as has frequently happened in Berlin, nothing is done. To take an example: If, assembly and magistracy should both agree as to the expediency of establishing a new hospital, but could not come to an understanding about its location, the project would undoubtedly rest until some change in one or both bodies enabled an agreement to be reached. The assembly has the advantage in the long run, as it elects the members of the magistracy, and has that powerful weapon of legislative bodies in constitutional countries—the right of making the appropriations, or budget-right, as it is called.

The assembly controls the entire administration of the city. It can demand that the acts of the magistrates and all accounts be submitted to it, or to committees appointed by it. The assembly watches over city property, and determines its use. Real estate belonging to the city can be disposed of only with the sanction of the general Government. The same thing holds with objects which have a special scientific, historical, or artistic value. It is also necessary to obtain this sanction to raise a loan which shall increase the debt of the city.

The higher city officers in Berlin, as elsewhere in Prussia, must be appointed for life. Employees may be engaged temporarily to render services which are not permanently required. The city has also the right to employ subordinate officers whose duties are merely mechanical, with the understanding that they may be discharged after due notice. The magistracy appoints, and the assembly confirms. As everywhere in Prussia, special fitness is considered in making appointments, and is determined by examination or otherwise. The mayor himself must have graduated in law from a German university. A trial precedes permanent appointment; in some cases this lasts for three years.

Whatever evils may be connected with a permanent civil service, it would seem a better device for getting rid of "rings" than the one which so many American cities appear disposed to try—namely, that of making the mayor absolute. We have already many forms of despotism in this country which would not be tolerated in Russia. These life-appointed are honest and perform their duties faithfully. The writer cannot think at this moment of a case of official dishonesty in Berlin. Mr. Kasson, in his report to Mr. Evarts, printed in the "Foreign Relations" of 1879, said of Vienna, where a similar system of appointment exists: "The *bürgermeister* stated to me that there is no record of any embezzlement or pecuniary fraud as ever having occurred among the life-appointed." Under such a system of civil service, it is not for the interest of an officeholder to be dishonest: as means are provided for punishing, and even dismissing, officers who do not discharge their duty in every respect; and as advancement depends upon efficiency more than anything else, an officeholder's future is ruined by dishonesty or neglect of duty. Then there is among the educated Prussian civil-service officers an *esprit de corps* which holds them to a high sense of official honor.

Still another advantage of this method of making appointments is that it is cheaper. Political economy teaches that one element in determining wages is risk incurred, either of bodily harm or of being out of employment for some time. Wages must contain an insurance premium in dangerous employments. This is high in cases where one's future is so uncertain as is that of every civil-service officer in the United States. On the other hand, where the civil service offers an honorable social career and permanent employment to meritorious officers, city or state government is able to obtain a sufficient number of qualified employees at low wages. Probably the salaries paid in Berlin are often less than those obtained by clerks in mercantile houses in the same city rendering similar services. The greater security of employment and the honor of the position are compensation for lower wages. The highest salary paid in the bureaus and city treasury is \$1,500 (6,000 marks), and there are only three appointees who receive so much. Three places yield salaries of \$1,425, three of \$1,350, five of \$1,275, etc. These salaries are the highest given to those holding the places. Beginners do not receive so high salaries, inasmuch as salaries advance with long and faithful service, as Secretary Sherman wished that they might in the United States Treasury Department. Three hundred and sixty-four secretaries and assistants of the magistracy receive from \$450 to \$1,100; yet these are mostly educated, cultured men, with whom it is a pleasure to come in contact socially. The *Oberbürgermeister* receives only \$6,000, although, as the chief executive of a great city numbering over one million inhabitants, his place is very properly considered one of the most honorable official positions in Germany. The present *Oberbürgermeister*, Herr von Forckenbeck, is a distinguished German, altogether apart from his present position. He has been member of both branches of the Prussian legislature, and member and President of the Imperial Parliament (*Reichstag*). He was one of the founders first of the Progressist, then of the National-Liberal party. He was formerly *Oberbürgermeister* of Breslau. He was called from Breslau to Berlin, as the municipal assembly is not confined to the Berliners in its choice of a mayor. The *Oberbürgermeister* is selected very carefully. The place seeks the man, rather than the man the place; in some cases he is able to make conditions with the Government. A

recent *Oberbürgermeister* would not accept his position until the Prussian Government had, in accordance with the wishes of the municipal assembly, promised greater liberty of self-government to Berlin. The very considerable independence of Berlin is seen in the fact that the magistrates and the members of the assembly very generally belong to parties which are politically quite radical. Bismarck, in particular, has no affection for them.

In reading the report of the magistracy, it becomes evident that there is a considerable advantage in a certain permanence and steadiness of policy on the part of the municipal government. Plans are laid for a long series of years, and carried out gradually as the city can afford the expense. Berlin has recently adopted an improved plan for disposing of its sewerage—that known as the irrigation system, the sewerage being allowed to flow over large fields in the vicinity and fertilize them. The plan was at first tried for a part of the city only, and has been gradually extended, as it has proved thoroughly satisfactory. The completion of the work will still require several years, in order to avoid a too great financial burden. "Without haste, without rest," seems to be the motto of the municipal government.

But the most interesting question to the taxpayer is, What does it cost in Berlin to provide free schools, clean the streets, keep up the parks—in short, to perform all the functions of a municipal government? We will devote the remainder of this paper to answering this question. The report of the magistracy gives the net receipts and net expenses of the municipal administration. In giving account of the gas-works, for example, only the surplus of receipts over expenditures is given. In giving the expenditures of a department, its receipts are subtracted. This is not entirely satisfactory. We should like to know not only the net receipts of various departments (particularly of taxation), but also the entire receipts, in order that we might estimate the expenses of collecting them. However, judging from comparisons he has made, the writer is able to say that from five to eight millions of marks should be added to net receipts and net expenditures to obtain the sum-total of expenses and receipts. The following table gives the net receipts and expenditures of the government of the city from 1861-1876, and the amount yielded by taxation toward defraying the expenses of the administration, the remainder being provided for out of surplus of city gas-works, city property, etc., except in so far as debt was incurred:

	Net receipts.	Net receipts from taxes.	Net expenditures.
	Marks.	Marks.	Marks.
1861.....	6,578,162	6,564,035	6,060,511
1862.....	6,904,376	6,787,966	7,392,270
1863.....	8,174,100	7,394,048	8,621,501
1864.....	9,445,635	8,002,424	9,050,621
1865.....	8,975,072	8,188,964	9,338,822
1866.....	12,723,100	8,207,233	11,128,610
1867.....	11,491,961	8,655,752	11,270,779
1868.....	11,740,287	9,438,805	11,800,165
1869.....	12,520,646	9,962,136	11,197,502
1870.....	14,750,972	11,042,350	16,457,430
1871.....	17,272,267	13,708,580	15,662,304
1872.....	20,255,671	16,413,852	19,854,966
1873.....	22,840,015	19,876,235	23,507,755
1874.....	26,313,253	22,122,878	25,060,107
1875.....	24,399,970	20,948,113	25,072,806
1876.....	26,510,697	19,965,207	26,938,599

The differences between total and net expenses may be seen from the fact that the former were 34,740,245 marks in 1876. According to the budget, from April 1, 1879, to April 1, 1880, the total expenses for the year were estimated at 42,376,705 marks; the total receipts were placed at the same figure.*

* It is interesting to note that the net expenses of the municipal administration this year were nearly the same as the interest on the city debt of New York for 1881, which was \$8,240,965 45, according to the final estimate.

The report calls attention, with particular satisfaction, to the accounts of expenditures for schools and the support of the poor, as characteristic of the spirit of the entire administration of the city. The magistrates are proud of the fact that in 1876 26 per centum of the sum at their disposal, consisting of net receipts and the balance on hand from the preceding year, was used for educational purposes, while in 1861 only 9.74 per centum of the sum at their disposal was so expended. We will not at present enter into a discussion of the question whether it is wiser on the part of the authorities to endeavor in every way to increase the appropriations for schools, and to pursue this policy systematically, or to begin the work of reform and economy by cutting down the meagre salaries of public-school teachers whenever the public become incensed at the extravagance of the municipal government. The magistrates and representatives in the municipal assembly of Berlin have, however, considered it expedient to economize by so organizing the administration of public charity as not to encourage vicious idleness and unworthiness. The whole city is divided into 157 districts, in each of which there is a poor-commission, consisting of worthy and respectable citizens, which assists in the relief of the poor. The result is, that while in 1861 no other branch of the municipal government required so large a percentage of the revenues at the disposal of the city authorities, in 1876 it required little over half as much as the schools. The percentage for the care of the poor in 1861 was 18.13; in 1876, 14.19.

Perhaps no part of the city administration reflects more credit upon the municipal authorities than the management of the city debt. The expenses on account of this debt, including interest, and in each case a considerable payment toward extinguishing it, were 4.48 per centum of receipts in 1861; in 1876, 3.91. No great debt is allowed to accumulate. A burden is shifted from the present to the future only when it seems right that the future should bear it. A case occurred where the rapid increase in the size of the city made it necessary to build a large number of school-houses at one time. As these would benefit the future as well as the present, it was considered right that the future should bear part of the burden. The same policy has been pursued in the case of the new system of sewerage. In both cases it would otherwise have been necessary to postpone needed improvements for a number of years. The total debt at the close of 1876 was less than \$6,000,000, which cannot be considered a bad showing for a city as large and wealthy as Berlin.*

It is impossible not to admire the zeal, economy, and intelligence with which Berlin is governed. If it were possible to take up each branch of the city government and examine it in detail, this would become still more evident. It is, however, impossible to do so within the limits of an article of this character. The writer can, in conclusion, only hope that some of his readers may be induced to examine the most admirable report of the Berlin magistracy for the years 1861-1876. The study of this report, together with some work on Prussian municipal law like Von Möller's "Preussisches Stadt-recht" (Breslau, 1874), could not fail to benefit those to whom the government of any large city has been committed.

* The total funded debt of New York, July 31, 1881, was \$135,100,907. Subtracting the amount in the Sinking Fund, the net funded debt, on December 30, 1881, was \$98,302,854.18.

THE ALIENATION OF RUSSIA FROM FRANCE.

PARIS, March 3, 1882.

THE House of Austria has long been the chief enemy of France. It was also the enemy of all the free countries of Europe. Under Philip II. it represented a principle which, if it had triumphed permanently, would have put an end to all civilization. It was a fundamental principle for all the representatives of France to look everywhere for allies against Austria. They tried in turn the Dukes of Savoy, the Netherlands, England, the Swiss cantons, Venice, the Turks, the Swedes. Henri IV. was assassinated at the very moment when he intended to begin a great struggle against Spain and Austria. His "great design" remained among his legacies to his country, with the noble principle of religious tolerance. Richelieu made an alliance with Gustavus Adolphus, and opposed him to Tilly and Wallenstein. Under Louis XIV. France was obliged to employ Turkish arms against Austria; Poland was also a sort of ally, but a fickle and uncertain one.

A new power was forming in the seventeenth century. It emerged, so to speak, from the atonic and unorganized state; and it was soon clear that Russia, appearing on the stage of European politics, might some day play in the combinations of war and of diplomacy the part which had been long assigned to Sweden, to Poland, and to Turkey. Sweden, thanks to the genius of her leaders, had taken a part which was out of proportion to her real strength; but she could not play it for ever. Poland was weakened by the most absurd political organization, and was at times absolutely impotent. Turkey's long decadence was already beginning; she could still strike heavy blows, she could spread terror in the valley of the Danube, but she could not do much more than inflict useless misfortunes on all her neighbors. The Grand Duchy of Muscovy had become Russia; Peter the Great had made his country a European power, and told the French that Russia could take the place of Sweden. What was France to do with regard to this ambitious young empire? The union of France with Sweden, with Poland, and with Turkey had become one of the maxims of French politics—it was a sort of religion; and it was evident that Russia could only elbow herself out of her old provinces at the expense of Sweden, Poland, and Turkey. Were we to abandon our traditional allies in favor of a new ally, to leave the certain for the uncertain, the known for the unknown? Was it not better to take advantage of the difficulties of our allies, to keep them united under the protection of France, and to oppose them as a strong barrier, not only against the encroachments of Austria, but against the ambition of the new semi-Asiatic empire? If France had boldly and systematically adopted either one or other of these two policies, she would probably have been benefited in either case. But she wavered between the two systems; she vacillated between her old allies and Russia.

We are only now beginning to study in all its details the French diplomacy of the eighteenth century. The Duc de Broglie has given us some very interesting details in his "Secret du Roi," and recently he has analyzed with much talent the incidents which accompanied the beginning of the Seven Years' War in a series of articles in the *Revue des Deux Mondes*, which will soon be republished in a volume. M. Albert Vandal has just written an interesting volume on "Louis XV. et Elisabeth de Russie," a study of the relations of France and Russia in the eighteenth century, composed with the aid of documents in the archives of our Foreign Office. When Peter

the Great made his visit to the Court of the Regent, he was, says Saint-Simon, animated with an extreme desire to unite himself to us. The Regent, who had a very unprejudiced mind, had already ordered M. de Châteauneuf to open negotiations with Peter, when he received a very curious letter from Dubois, warning him against the dangers of the Russian alliance, and assuring him that he would certainly lose England and Holland, and therefore all the fruits of the triple alliance which he had concluded. "The Czar and the King of Prussia pass for very untrustworthy princes. . . . I cannot but remind you of two Italian proverbs. One is: *Chi sta bene non si muove*. The other is the epitaph of a man who had killed himself with precautionary remedies: *Per star meglio son qui*." The Regent finally refused to conclude an effective alliance with Peter. The Czar's visit was otherwise a great success: he became a lion; his simplicity, his disdain for all comfort, all luxury, his ardor for mechanical objects, amused the court, but he went away without having accomplished anything, and without having persuaded the King's ministers that he might be the new Gustavus Adolphus.

After the death of Peter, his widow Catherine, deceived in the hopes which she had first had on the French side, turned toward Austria and established intimate relations with that empire. The idea of a French alliance was abandoned, and it only revived in the head of Elizabeth, the daughter of Peter the Great. This idea took a very poetic form: Elizabeth fell in love at a distance with the young King of France, Louis XV.

"Toward the middle of his reign," says M. Albert Vandal, "Louis XV. appears as the perfect type of royal beauty, mixed of greatness, grace, calm, and majesty. The glory of his father surrounded him with a brilliant halo, and fortune seemed to accompany his steps. He had known success without having known effort. A happy war rapidly brought to an end and well-conducted negotiations had marked his beginnings, and victory had crowned him with laurels which had not been too dearly paid for. The fatigue of happiness, though casting on his face a shade of disdainful lassitude, still added something to the distinction of his noble visage. For a little while, France was in love with her King, and Europe partook of this passion."

When the question of the King's marriage arose, Russia offered the hand of the Grand-Duchess Elizabeth. She was young, ardent, romantic. A portrait of Louis XV. being given to her, she fell in love with it, and seems never to have forgotten this first movement of attraction. She always kept a place in her heart for this affection, although she afterward spent her life in incessant intrigues. The French Ambassador in Russia was M. de Campredon; he favored ardently the Russian marriage, and showed the political advantage of it in his despatches. The King of France had to choose from a list of seventeen princesses, carefully prepared by the Foreign Office. The first in rank was the daughter of the Prince of Wales, but England could not consent to her becoming a Catholic, and this idea had to be abandoned. Louis XV. fell in love with a sister of the Duc de Bourbon, Mademoiselle de Sens—young and remarkably handsome. The Duke sent her to a convent, and when the young King complained of this severity, "My sister," said the Duke, "is not of a rank to be a mistress." The King said that he would make her his wife. Prince Kurakin, the Russian Ambassador in Paris, wrote all these details to his Court, and the position of M. de Campredon became somewhat difficult, as it was evident that Louis XV. was more accessible to passion than to preoccupations of a general interest.

The Duc de Bourbon finally chose Maria Lesz-

czynska, the daughter of the ex-King of Poland, Stanislas. She was modest, unobtrusive, without any ambition, pious. The marriage, as regarded Russia, was a blunder. The Empress of Russia could not well forgive the King of France for having preferred to the daughter of Peter the Great the daughter of a dethroned king of Poland. Catherine soon afterward entered into a close alliance with Austria; a treaty was signed at Vienna on the 25th of August, 1726, for the period of thirty years. It was a treaty of offensive and defensive alliance against Turkey, defensive only with regard to all other states. This act was one of the most important diplomatic events of the eighteenth century; it paved the way for the partial Germanization of the Muscovite Empire, and began the continuous invasion of Russia by German administrators, engineers, generals. When Russia afterward appeared for the first time on the battle-fields of central Europe, she merely played the part of a reserve of Austria.

Nothing can be more dramatic than the history of the mission of M. de la Chétardie, the Special Ambassador of France, who was the principal actor in the great *coup d'état* which placed Elizabeth on the throne. Almost on the very day when the Czarina Anna died (1740), leaving the crown to her nephew Ivan of Brunswick, a child fourteen months old, the Emperor Charles VI. died in Vienna. All Europe was thrown into confusion. Charles VI. had no male heir. Could his daughter Maria Theresa take the reins of the Empire in her own hands? Frederic II. boldly entered Silesia and took possession of it. What were France and Russia to do? Both had recognized the Pragmatic Sanction and the rights of Maria Theresa. If they stood by her, they saved Austria, they stood in the way of Prussia's ambition, and maintained the old equilibrium of Europe. If they stood by Frederic, they created a new balance of power in Europe.

France had been working for two hundred years against the house of Austria; but was Austria now weak enough? Old Cardinal Fleury wished to side with Austria, but the military youth of the court formed a party which has been admirably described by the Duc de Broglie. The young soldiers, the ladies, the philosophers, who were already becoming a power in the state, all went for Frederic. Attacked by Prussia and threatened by France, Maria Theresa asked for the help of Russia. La Chétardie resolved to place Elizabeth on the throne. He hated the Brunswickians as much as the Russians did themselves. The army, all the malcontents, had their eyes turned upon the daughter of Peter the Great. The history of this revolution is well known. La Chétardie played the principal part in it, after Elizabeth. She showed the greatest firmness and courage—went herself to the barracks. "Children," said she, "wake up! Our poor nation is under the yoke of the Germans. Let us get rid of our oppressors." How strange these words sound! how like the words pronounced the other day in Paris by Skobeleff!

After her triumph, one of the first thoughts of Elizabeth was for Louis XV. She immediately wrote to him, announcing the great event. The accession of Elizabeth to the alliance formed against Frederic in 1756 would have ruined the King of Prussia; but the policy of Louis XV. was vacillating. The history of its variations is well told in the interesting work of M. Albert Vandal. After the death of Elizabeth, the French policy became even more uncertain. Louis XVI. was thinking of an alliance with Russia when the convocation of the States-General interrupted all his plans. The revolution of 1789 threw Russia perforce among the enemies of France.

THE NATIONAL PARTY AND THE EGYPTIAN CONTROL.

CAIRO, February 27, 1882.

WITHOUT attempting to speculate upon the uncertain factors in the problem—such as the panislamic aspirations of the Sultan, the intrigues of Halim, and the hopes of Ismail—the events which have placed the National Party in power may be thus briefly stated. Just a year ago the troops comprising the garrison of Cairo beleaguered the Khedive in his palace, and did not return to their quarters until they had obtained what they demanded—to wit, the release and pardon of a colonel who was being tried by court-martial for a purely military offence. On the 9th of September, 1881, Ahmed Bey Arabi, and the insubordinate colonels of the preceding February, usurped the command of the Egyptian Army, and, with the irresistible argument of six batteries of Krupp guns, demanded (1) the dismissal of the Riaz Ministry, which had gained its reputation by a reform of the financial administration, (2) an increase of the strength and pay of the army, and (3) a Constitution. Arabi Bey frankly told the Khedive upon this occasion that unless he yielded to these demands a successor was ready to take his place. All that the colonels asked for was granted, except that an Assembly of Delegates was given them instead of a Constitution. Sherif Pasha—the successor of Riaz—ordered the elections to be at once proceeded with. The Delegates were chosen amidst the utmost tranquillity, not to say indifference, of the great masses of the people. The names presented by the Sheikhs-el-Beled, or village mayors, were accepted without question, and nine out of ten fellaheen are to this day ignorant of even the name of the delegate who represents their district in the National Assembly. In January, the Assembly, composed of a single chamber of eighty delegates, was opened in person by the Khedive. The framing of the Organic Law defining the functions and limiting the powers of the Assembly caused a serious difference of opinion between the Sherif Ministry and the Assembly. The latter demanded the full control of the Budget, but promised not to disturb the arrangements for the payment of the Turkish Tribute and the Public Debt, which had been sanctioned by the Law of Liquidation, having the full force of a treaty obligation. The Sherif Ministry urged that the powers demanded by the Assembly infringed upon the functions of the Anglo-French Control as established by the Khedivial decree of November 15, 1879. Upon this issue Sherif Pasha resigned, and was replaced by Mahmud Pasha Samy (who had been War Minister under both Riaz and Sherif, and who had served as a cavalry officer during the late Turko-Russian war), and Ahmed Bey Arabi became the new Minister of War. A law was at once approved by the Ministry which gave the right to vote the Budget to a committee composed of Ministers and Delegates in equal numbers, the Assembly having the casting vote. This limited the sphere of action of the Controllers to that of mere cashiers. The British and French Consuls-General protested, and the Assembly replied to their protest by denying that the Powers had any right to interfere in matters concerning the interior development of the country. The issue is now framed. Riaz and Sherif have fallen, and, with the possible exception of Mahmud Pasha Samy, there is no longer any "buffer" between the Egyptian Assembly of Delegates, with the army at its back, and the Anglo-French Control, which virtually assumed the functions of an Anglo-French Protectorate. Either the Assembly or the Control must give way. The Army are ready to fight if necessary to support the position now maintained by the Assembly, and England and

France cannot withdraw the Control without eating their own words, proclaimed with a flourish of trumpets in Lord Granville's despatch and in the Joint Note.

It should be observed that the Anglo-French Control—unlike the International Tribunals and various financial institutions—is not created by treaty, or by any strictly international obligation whatever, but is established by an ordinary Khedivial decree, which may at any moment be lawfully revoked at the Khedive's pleasure. The following is a translation of the decree concerning the powers of the Controllers-General:

"ARTICLE 1. The Controllers General shall have in financial matters the most complete powers of investigation into all the public services, including those whose receipts have a special destination by virtue of decrees and contracts. Ministers and functionaries of every rank shall be bound to give every information and to furnish every document required by the Controllers and their agents. The Minister of Finance especially shall furnish the Control every week with a detailed statement of all receipts and expenditure at his Ministry. Every other Administration shall furnish similar statements every month.

"ART. 2. The Controllers shall agree upon the public services over which they shall each exercise the rights of supervision and control conferred by this decree.

"ART. 3. The Governments of France and Great Britain having consented, for the moment, that the Controllers shall take no part in the actual management of the Administration and financial services, the Controllers shall for the present confine themselves to the communication to us or to our Ministers of such observations as their investigations give rise to. They shall also communicate to the Commission of the Debt all facts of a nature to interest the creditors of the Consolidated Debt. They may also, on account of such facts, convene the Commissioners of the Public Debt to examine such questions as the Controllers or the Commissioners of Public Debt may think advisable to discuss in common.

"ART. 4. The Controllers shall have the rank of Ministers at the Council (of Ministers) and shall have a seat and a consultative voice there.

"ART. 5. At the end of each year, and more frequently if necessary, the Controllers shall communicate to us their work in a report which shall be published by them and inserted in the *Moniteur Egyptien*.

"ART. 6. The Controllers can only be removed from their posts with the consent of their respective Governments. They shall name their own officials and fix their salary.

"ART. 7. The expense of the Department of the Control shall be fixed by the Controllers and approved by the Ministers.

"ART. 8. The amount required by them shall be paid to them monthly.

"ART. 9. Our Ministers are charged with the execution of this decree.

"Signed: "MEHEMET TEWFIK.

"RIAZ PASHA.

"Nov. 15, 1879."

Whether Egyptians under parliamentary government may or may not, after all, furnish another instance of old wine in new bottles, depends upon a question that is very little considered by either the great Powers or by the National Party—to wit, public education. Of the 350,000 male children in Egypt, of school-going age, about 130,000 attend "schools," where education is limited to the learning by heart of a few rules of the Koran; only 2,000 receive instruction equivalent to that imparted in the primary schools in the United States; and scarcely 400 pupils receive what may be called higher instruction. These figures are exclusive of 8,000 pupils in private schools, established by Europeans and by the American missionaries in Cairo, Alexandria, and Sout, only fifty per cent. of whom are Egyptians; and the 7,000 students in the El Azhar (the great University of El Islam, where theology flourishes, and where natural science is cribbed and confined to meet the requirements of the dogmas of the Koran) are also excluded. The following significant facts show in what direction public instruction in Egypt is tending: dur-

ing the past seven years the total number of pupils in the Government schools has *diminished nine per cent.*, and during the same period the number of pupils in schools established by foreigners, and which have no connection whatever with the Egyptian Government, has *increased thirty-six per cent.* B.

ALEXANDRIA, March 7, 1882.

THINGS have been in suspense here for some time. The only news which has been passed on from one to another, in the lax sort of way in which news travels here, is that another change of Ministry is imminent, and that the Khedive is holding frequently-repeated consultations, now with the English and French Consuls-General and now with his chief Ministers in the new Cabinet.

The inclusion in the newly-settled Constitution of a clause under which the Budget is to be discussed by a committee of the Chamber of Notables and the Ministry, sitting together, is the main victory attained as yet by the last revolutionary move, which brought Colonel Arabi Bey to the presidency of the Ministry of War. The clause seems natural and, to the European or American mind, innocent enough in itself; and yet the whole question of the continuance of the European Control in its present form will probably be found involved in it. Those who are familiar with the history of Egypt for the last four years will remember that all the administrative improvements which have been achieved, and the constitutional victories which have been won, have been bound up with the readjustment of Egyptian finance. When it was found by the International Commission of Inquiry of 1878 that in his reign of fifteen years the Khedive, Ismail Pasha, had burdened his country with a debt of £90,000,000 sterling, with scarcely anything to show for it in the way of reproductive improvements, England and France were charged by the other Powers to make a resolute effort to save the country from bankruptcy, and to provide for the liquidation of the debt within a limited period. In the course of their report, the Commission had drawn attention to the administrative confusion which prevailed in all branches of the Government, and which involved the grossest oppression of the people. Corruption and extortion in collecting the taxes, forced labor perverted into slavery, a military conscription of an oppressive and grinding character, and the general denial or pollution of justice in the native courts, were some of the evils which the report laid bare. The Commissioners attributed all these evils to the uncontrolled absolutism which characterized the Government. The remedy was sought first of all in including a French and an English Minister in the Egyptian Cabinet, for the purpose of checking the Khedive and reconstituting the administration; and afterward, when the Khedive Ismail was recalcitrant and fostered a revolution in order to escape from his constitutional fetters, recourse was had to a new sovereign who should hold his throne by a strictly constitutional tenure, and whose Ministers should admit to their meetings for purposes of consultation an English and a French adviser, severally representing their own Governments.

It is this implication of the finances and the yearly Budget with the general administrative conditions of the country which renders the clause above adverted to in the new Constitution of such serious import. The English and French Controllers, MM. de Blignières and Colvin, have already publicly protested, in a document dated from Cairo, the 6th of February, which has appeared in the leading French and English newspapers. In this document they say:

"When the Decrees regulating the powers of the Controllers were promulgated, the real power belonged to the Khedive, and by delegation to his Ministers. If the Controllers-General were confined to the right of giving advice, it was to be presumed that their advice would receive just appreciation. This expectation has been realized, and the financial situation of the country, which was so grave two years ago, is now as prosperous. But since then the power has shifted. It now belongs to the Chamber of Delegates and to several military chiefs to whose influence the Chamber submits."

The protest concludes with the following words:

"To accept accomplished facts is therefore to accept the most serious outrage which has been committed against the influence of England and France. . . . It will be a profound illusion not herein to see the prelude of a series of measures which will not leave standing any of the reforms introduced in the course of late years. The days may already be foreseen when the financial disorders which were remedied by the Commission of Inquiry and Commission of Liquidation will reappear."

Nothing could be graver than the terms of this protest and the vista of disorganization and retrogression which it opens out. It must be understood that the danger does not come from the probable influence of a popular Assembly. The Chamber of Notables is no popular Assembly, but is merely a collection of some seventy-five pashas and landowners chosen through Government influences, and identically the same in constitution as the body which from time to time was assembled by Ismail himself in the worst days of his rule, and for the purpose merely of obtaining cooperation in some new form of taxation. Furthermore, the military influence which is behind the action of this Chamber is as conspicuous as it can well be. There have been three revolutionary movements between February, 1881, and February, 1882. The first was accompanied by a military demonstration at the gates of the Khedive's palace in Cairo, and resulted in freeing from apprehended arrest their favorite Colonel Arabi Bey, and the change of the Minister of War. The second revolution, in September of the same year, also attended by a military demonstration, secured a change of Ministry, and resulted in the promotion of Colonel Arabi Bey to be Under-Secretary of War. By the third revolution, of February in the present year, the Ministry was again changed on an imperious demand addressed to the Khedive, and Colonel Arabi Bey was made Minister of War, and the late Minister of War Prime Minister.

In the simple recital of these facts it is quite impossible to fail to discover the distinctly military character of the whole movement. The question is fairly put, *Cui bono?* Who is the first person to profit from the movement in every case? It is Colonel Arabi Bey, in his capacity of a popular chief of a tumultuous and treasonable army. Persons' memories must be short who forget that the revolution which led to Ismail's deposition, because of the incapacity or untrustworthiness which it disclosed in him, was due to a military revolt in the streets of Cairo. Prime Minister Nubar Pasha and the English member of the Egyptian Ministry were the subjects of a violent personal assault, in which 2,300 officers who had come to the capital to demand their pay were intimately concerned. It is the first duty of a true, popular, and representative assembly of a constitutional kind to have the army under its control. This was one of the main matters in dispute in the English civil wars, and the effective restraint on the existence and vagaries of a standing army which the British Parliament exercises by its yearly Mutiny Act, is not the least momentous of the guarantees for constitutional liberty in England. It is, then, an extraordinary instance of the ener-

vating effect of Oriental travel on some constitutions that English travellers of repute keep writing to newspapers at home letters full of ardent aspirations for a constitutional reform in Egypt, to be brought about by a visionary National Party, and at the point of bayonets directed against the first constitutional ruler Egypt has ever had, and then directed against the organs which alone have secured for Egypt a taste of the blessings of constitutional freedom.

A thick pamphlet has just been privately circulated among the leaders of the European population in this city, which, though anonymous, is pretty well ascertained to have been written by a late Belgian judge of the Mixed Courts. It is called 'L'Égypte et l'Europe.' More will probably be heard of it, as it is strongly and even passionately directed against the influence of France and England in Egypt. It reviews, among other things, the whole history of the financial reform, and establishes, to the writer's own satisfaction, that England and France have from first to last done Egypt nothing but harm. Much of the treatise is interesting, and implies some knowledge of the peculiar condition of the native Egyptian and of the European life in this country, especially in Alexandria. The writer thinks badly of nearly all classes of European residents here, but best of the English and Germans, and worst of the Greeks. He is of opinion that Arabic should be used familiarly in the Mixed Courts, and that no one should be appointed a judge of the Mixed Courts who has not resided two years in Cairo and passed an examination in Mohammedan law. A.

Correspondence.

ONE OF MANY ANSWERS TO "THE CHINESE QUESTION."

TO THE EDITOR OF THE NATION:

SIR: How shall Chinese immigrants be kept from coming to California in *too great numbers*? That is really the point to be practically settled; and any one who understands both sides of the question can see that neither the Burlingame Treaty, nor the more recent one, satirically called the "Angelic," nor yet the Anti-Chinese Bill now pending before Congress, can be regarded as anything more than steps in the working out of a difficult problem of international statesmanship.

Meanwhile, a wholesome and not ineffectual check might be employed at San Francisco in three ways:

1. Institute a medical inspection of immigrants, prohibiting the landing of all affected by "contagious" disease.
2. Make opium-smoking a penal offence, as it has been made by the Japanese Government, and see that the law is executed.
3. Break up gambling-hells, such as abound wherever the Chinese congregate.

Such regulations might pinch other than Chinese feet, but they would be wholesome and effective. The Asiatic immigration would be reduced two-thirds by them if carried out.

E. W. S.

PHILADELPHIA, March 23.

CONVICT LABOR.

TO THE EDITOR OF THE NATION:

SIR: Is it fair to assume, as you seem to do in the *Nation* of March 23, that the workingmen oppose "convict labor" and favor "the enforcement of idleness as a punishment"? An act, which I understand to have their approval, is

now before the Assembly Prison Committee. It simply prohibits the contract system, provides that the convicts shall be employed by the State, and that the products of their labor shall be sold at not less than market prices.

The subject is not new in legislative annals, a similar bill having passed the Assembly of 1871. In the Senate it provoked so much discussion, disclosed such a diversity of opinion, and was regarded as of so much importance, that a special commission, composed of M. S. Meyers, E. C. Wines, and Thomas Fencer, was appointed to consider the whole subject and report at the next session. They sat during the entire summer, met at each of the prisons, penitentiaries, and houses of refuge in the State, spent six weeks in taking testimony, sent circulars containing minute interrogatories to the managers of all institutions mentioned, and of many outside of the State, and received answers to them; examined over one hundred witnesses, including inspectors, wardens, chaplains, and various other prison officials, and a large number of contractors and workmen; and reported the evidence, with their conclusions, to the Legislature of 1872 in a volume containing 325 closely-printed pages.

They find, upon all the evidence, that "the opposition of the workmen of the State is to the contract system alone, and not at all to industrial labor in prisons"; that "while the products of prison labor are not sufficient ordinarily to sensibly affect the general markets of the country, there is no doubt that in particular localities these products do come into injurious competition with outside labor"; that "the contract system of prison labor is bad, and should be abolished"; that "in order to a safe and successful change from contracts to State employment, it will be an essential condition precedent that political control be eliminated from the government of our State prisons"; and that "the only process by which they can be removed from the arena of politics is an amendment to the Constitution."

Such an amendment was made in 1876, since which time the prisons have been practically free from political control. The proofs of the evil effects of the contract system which the commissioners regarded as convincing stand uncontroverted, the evil has increased rather than diminished with the growth of prison industry under Mr. Pillsbury's management, and the "condition precedent" has been fulfilled. Is it not proper that the subject of contract labor should now receive legislative attention?

Yours, H. H. ROCKWELL.

ELMIRA, March 25, 1882.

[We assumed nothing about "the working-man" in general. We were talking of the "United Trade and Labor Union" of this city. At the late meeting of this body, two plans with regard to convict labor were produced: one proposed to limit convict labor to the production of articles made abroad, and the convicts' food and clothing; the other proposed to cut their labor down to five hours a day on articles actually needed by themselves, and that the rest of their time should be devoted to "education and reform," or, in plain English, idleness.—ED. NATION.]

PROMOTION OF PASSED ASSISTANT SURGEONS.

TO THE EDITOR OF THE NATION:

SIR: The question of the rearrangement of the Navy Register, which is now being agitated by some of the passed assistant surgeons of the

Navy, is not so simple and one-sided a matter as your statement of the case in the *Nation* of the 9th instant would make it appear.

It is true that the system of competition at the second examination was accepted by the assistant surgeons on their entry into the service, but without any adequate idea of the conditions of this competition. As the custom (for it is nothing more) worked, up to last year, there could be no fair competition between members of the same date, some of whom were allowed to remain on "waiting orders," or stationed at New York or Philadelphia, often through political influence, for many months prior to their examination, while others were compelled to remain at sea, or at some out-of-the-way station, where no hospitals, medical schools, libraries, or other advantages were accessible. Moreover, the examinations took place at different times, and often before different examiners, and, without any intention on their (the examiners') part, varied greatly in thoroughness and severity. Without some acquaintance with the workings of the service, this could hardly be understood; and the feeling that protest would be useless and might possibly endanger the chances of a candidate in the examination for promotion, was quite sufficient to keep many assistants quiet who were opposed to the competitive system.

That competition is a strong incentive to hard work and attention to duty, not only in the medical corps of the Navy, but in all other employments, very few will deny; but the competition should be perfectly fair or it defeats its own object, which is, I take it, to reward the deserving alone, and not the fortunate or influential. Nothing produces discontent and loss of *esprit de corps* more certainly than a sense of injustice, and those who have, or think they have, lost rank and pay by this unequal competition, too often become indifferent to the service and apathetic in the discharge of their duties. Furthermore, the law of promotion by seniority applies to all other officers in the Navy, and there is no apparent reason why medical officers should be governed by the competitive system, that does not apply with equal force to all the others.

The illegality of promotion by competition since 1871 has already been decided by the Attorney-General, and a law to restore the old arrangement would have to retract ten years.

P. A. SURGEON.

MADE ISLAND, CAL., March 18, 1882.

DIFFERENTIAL RAILROAD RATES.

TO THE EDITOR OF THE NATION:

SIR: Under the above heading, your correspondent, "A Railroad Man," last week discussed the question which is now being considered by Messrs. Thurman, Cooley, and Washburne, and advanced a number of arguments against the proposition that rates should be based upon the "cost of service." I think your correspondent makes a mistake common with railroad men—viz., that he loses sight of the fact that the railroad is performing a delegated function of the state—the furnishing of public highways—as well as doing the business of a common carrier. The parallel he seeks to draw between the iron-mill and the railroad company is not a correct one. The construction and operation of a railroad is somewhat in the nature of a partnership between the state and corporation. The business could not exist except by permission of the state. The state contributes the franchise, while the corporation constructs the road and conducts the business. But it is with the understanding that rates shall be "reasonable," and this can only be ascertained on the basis of the *cost of the service*. This was why, in the earlier railway char-

ters, the ten per cent. limit was inserted—that after the capital actually invested had been compensated to the extent of ten per cent., rates should be reduced, or in other words, that the people should realize their share of the advantages of the partnership in the form of reduced rates.

Your correspondent unwittingly furnishes in his own argument an illustration that railroad men do intend to base their charges upon the cost of the service, when he says that "it was an axiom among railroads . . . that the short line between two common points should make the rates," and that "this was upon the theory that the short line would generally be the one able to do business at the lowest rates and live." Another and later axiom among railroad men is that every foot of grade is equal, in the cost of operating a road, to a mile of distance, while curves also have an important influence; and this is why the New York roads have been continually disputing and reducing the margin of advantage claimed by the B. & O. and Pennsylvania railroads—in short, insisting upon the principle of the cost of the service. Your correspondent says "it has never been claimed that the more costly lines should charge more," but it has been claimed that the supposed less costly lines (the short lines) should charge less, which is just what the public want them to do, and which, considering their relations to the public, it is right they should do. Every line should carry as cheaply as it can afford to carry, instead of making a combination and charging all the traffic will bear. The report of the Hepburn Legislative Committee, page 50, says:

"In July last, during a war of rates, wheat was carried from Chicago to New York for ten cents per hundred pounds; in August it was advanced to fifteen cents, a living rate; a short European harvest created an unusual demand; a bountiful harvest here created an extraordinary supply; the rates were gradually raised from fifteen cents in August to forty cents in November. It cost the railroads just as much to haul a hundred pounds of grain in August as in November. It would be difficult to make a criticism upon that raise which public judgment would sustain."

While it is evident that railroad men have not in the past paid much attention to the principle of the cost of the service, it by no means discredits the principle. The argument of your correspondent furnishes an illustration of how oblivious railroad men have become to their proper relations to the public; nor does he seem to be capable of looking at both sides, when he says:

"If it is true that the New York Central can carry freight to New York at a smaller cost than the Pennsylvania road can carry it to Philadelphia, then it follows, as New York is ninety miles beyond Philadelphia, that it costs the Pennsylvania Railroad more to carry freight to New York than it costs the New York Central; and, adopting the cost-of-service theory, the Pennsylvania road should charge more to and from New York than the New York Central charges, while charging the same to and from Philadelphia as the New York Central charges to and from New York."

The answer to this is that the Pennsylvania road should stop carrying to New York when the limit of cost is reached, and if the New York Central and Erie roads can make money at this or a lower rate, why should the other roads try to compel them to charge more? The truth of the business is, that they have all been trying to form a combination to charge the public more than reasonable rates, which should be a fair profit above the actual "cost of the service." When the New York roads see that this has worked inequitably and seek to secure a readjustment, or return to the original principle of competition, leaving every road free to carry as cheaply as it can, a great hue and cry is raised that this

is contrary to the public interest, when the truth is directly contrary, and railroad men are not lacking who boldly assert that the common principles of law and justice are all wrong, that "the fallacy of the cost-of-service theory is obvious," and that "the argument is not only in itself unsound, but fatal to New York." While it is well understood that Messrs. Thurman, Cooley, and Washburne are retained by the railroads to try and patch up a peace between them, it is to be hoped that they will, as prominent public men, have sufficient regard for public rights to consider them in connection with that of the railroads. Combinations have always been considered against public policy and in many States are directly contrary to law. Why not try the plan of letting each railroad carry as cheaply as it can afford to and attract the share of traffic that naturally belongs to it? To argue that they will, in the long run, carry cheaper than they can afford to, and that they must be protected against themselves, is to argue that railroad managers have no business common-sense and cannot be trusted out of leading strings.

F. B. THURBER.

NEW YORK, March 20, 1882.

DISINTEGRATION.

TO THE EDITOR OF THE NATION:

SIR: Much interest has been felt in the accounts latterly received of the apathy and indifference felt in Ohio as to the results of the coming elections. But, after all, this apathy is but the same feeling that exists elsewhere, and especially in Pennsylvania and New York—a little more developed, perhaps, and varying slightly in its characteristics; that is all. In Ohio, preëminently a Garfield State, the paramount feeling is a detestation pure and simple for the Stalwarts, as the special enemies of the late President. In New York State the same feeling is connected with a special aversion for Mr. Conkling. In all three States there is a strong desire for greater political purity and for placing our system of government on a higher plane. Much has happened recently to disgust all men of independent feeling. The indecent control of the House of Representatives by the President in the matter of choosing a Speaker; the easy subservience of the Senate in its confirmation of Conkling—its hesitation over so good an appointment as that of Judge Blatchford; the shameless attacks on the memory of Mr. Garfield by political allies of the clique now in power; the fact that Mr. Blaine's successor seems in no haste to condemn his ridiculous "sky-rocket policy" with South American states—all these causes combine to create widespread dissatisfaction and disgust.

In Pennsylvania the dissatisfaction among Republicans takes the special shape of an aversion for bosses and bossism, such as amounts to actual loathing. Bossism seeks to virtually disfranchise all who do not wear its own collar, and thus strikes at every independent man's self-respect. It plunders us still, and if its power in that respect is nearly destroyed, we shall have still to suffer taxation for the interest on the debt it has piled up. The immediate task before us is to send into permanent retirement every boss and all his satellites, and public opinion has fortunately now reached such a point that it is scarcely possible that any candidate for a public office nominated by boss machinery can be elected. Should such a candidate be selected for the position of Governor by a packed convention, the result will be that large numbers of Republicans will stay at home, while others will think that Democratic success will be the only effectual lesson, and will therefore aid in bringing it about.

It is, therefore, anything but improbable that before the year is out the three States of New York, Pennsylvania, and Ohio will have recorded majorities for Democratic candidates, not so much from love of Democracy as from detestation of Stalwartism.

M. C. L.

PHILADELPHIA, March 21, 1882.

Notes.

HARPER & BROTHERS are the American publishers of Charles Duke Yonge's 'Constitutional History of England' (1760-1860); and have also brought out new editions of Prof. Newcomb's 'Popular Astronomy' and of the late Jacob Abbott's 'Young Christian' (with a memorial of the author); 'Money-Making for Ladies,' by Mrs. Ella Rodman Church; and 'Prudence,' by Mrs. Lillie.

Cassell, Petter & Galpin have in press an illustrated work, 'Moses and Geology; or, The Harmony of the Bible with Science,' by Samuel Kinns, Ph. D.; 'A Comic History of the United States,' by L. Hopkins, also illustrated; 'The Simple Ailments of Horses'; and several volumes in their handy 'Popular Library'—'The Religious Revolution in the Sixteenth Century'; 'American Humorists,' by Moy Thomas; 'Notable Irishmen,' and 'Notable Scotchmen.' This firm will also publish Mr. Kuntz's 'American Academy Notes,' with illustrations, many autographic, after the original pictures now on exhibition at the Academy of Design.

'D. Lothrop & Co., Boston, publish this month: a 'Life of Horace Greeley,' by Wm. M. Cornell; the 'Life and Writings of Charles Dickens,' by Phoebe A. Hanaford; and 'Originality,' a reply to Wendell Phillips's "Lost Arts" lecture, by the Rev. Elias Nason.

L. Prang & Co. send us samples of their Easter cards, of which the elaborateness and (in the main) tastefulness are beyond question; but they seem to us to have very little spontaneity and much formalism of design. Their merit may be likened to that of most "occasional" verse.

Macmillan's sixpenny illustrated edition of 'Tom Brown's School Days' is said to have had an immediate sale of nearly 150,000 copies. It is offered here at the same price (ten cents) with Harper's Franklin Square Library edition, which is also illustrated. One secular book, at least, therefore, has become cheap for all the English-speaking race.

The March Reference List of the Providence Public Library furnishes bibliographical aid on the subject of the German Empire and on Elements of Unity in Southeastern Europe. The February List, it is timely to recall, had for one of its topics the late Mr. Longfellow.

The Annual Report of the St. Louis Public School Library for 1880-81 suggests that this institution, with its special patronage, meets the difficulty which general public libraries experience in protecting the young from too much and deleterious fiction. Though adults may and doubtless do use it, they cannot complain of the censorship exercised on behalf of those for whom the library was founded. Does not this contain a hint for Boston?

Houghton, Mifflin & Co., Boston, have prepared a 'Catalogue of Books' which is an admirable specimen of typography, but is distinguished by the large number of portraits which properly illustrate their list of authors. These mark various stages in the art of woodcutting and in publishers' enterprise, but are mostly truthful and valuable mementos. On application this will be sent to any address without charge.

Mr. F. H. Underwood's 'James Russell Lowell: a Biographical Sketch' (Boston: Osgood) would

be none the worse for having already seen the light, as we think it has, in one of our magazines. In its present form it is illustrated with a somewhat muddy heliotype portrait of the poet, and several interesting landscapes more successfully depicted by the same process.

No better choice than Professor Goodwin, of Harvard, could have been made for first director of the American School of Classical Studies to be established at Athens in the fall. We understand that he will sail for Greece in June. According to the plan already made public, his salary will be continued by the college.

That Mr. George Wilkes is possessed of a very trifling amount of humor was shown by his putting forth his 'Shakespeare, from an American Point of View' in 1877. It is shown afresh by his remark in the preface to the third edition just published by D. Appleton & Co., that in the United States the reception of this amusing production "was of the most flattering character; and, indeed, may be characterized as having been unanimously favorable." In spite of numerous improvements now made upon the London edition, the best part of the book still remains not Mr. Wilkes's, but Professor Taverner's ("The Respective Styles of Shakespeare and Bacon, judged by the Laws of Elocutionary Analysis and 'Melody of Speech.'")

Le Livre for March is prettily decorated with an etched border in brown ink, framing the opening sentences of Champfleury's half-malicious sketch of Paul Lacroix ("Bibliophile Jacob"), whose portrait from a drawing made in 1835 is a pleasant souvenir of the Romantic period. Far more seriously and laboriously M. Charles de Lovenjoul traces the literary projects of Théophile Gautier, which were either altered, or half carried out, or abortive. The altered ending of 'Capitaine Fracasse,' as well as the singular interruptions in the composition of this story, is an example of these disclosures; another is the unpublished fragment belonging to 'Loin de Paris'; a third, an unpublished stanza of "Fumée," which is wholly reproduced in autograph facsimile, etc. A capital "portrait charge," or grotesque big-head-and-little-body likeness of Gautier, *à la turque*, by H. Mailly (1862), still further embellishes the article and the magazine.

The Rev. S. Beal, Professor of Chinese at the London University, has lately published an 'Abstract of Four Lectures on Buddhist Literature in China,' delivered at University College. It can only be had of the author, whose address is Wark, Northumberland, England. In a recent communication to the Royal Asiatic Society, Professor Beal has made an interesting identification of the Yue-chi of the Chinese with the Vaggi or Vriggi of Vesālī in India, and of these again with the Scythians, which materially assists in the interpretation of Plate 38 of Fergusson's 'Tree and Serpent Worship,' and "also goes to confirm the idea," says Professor Beal, "that the Sākya, to whom Buddha himself belonged, were a Turanian tribe, and in sympathy with these Vaggi, whom Buddha resembles in so many personal distinctions."

—The seventh volume of the reports of the Boston Record Commissioners consists of a reprint of the town's records from 1660 to 1701. These relate largely to lands and boundaries, to schools, streets, wharves, sanitation—if that term be allowable in face of an explicit ordinance (1666) not to throw "garbidge, beast entralls, &c." into the streets, but "into the Mill Creek over the Mill Bridge"—police, elections, etc. An ever-present fear of fire, from chimneys and tobacco pipes, especially, is manifested. Citizens are indemnified for having their houses blown up to check past conflagrations, a fire engine is

got at last from England, and the keeper's motion to be excused from training and watching is met by an allowance of "20s in mony p. ann upon that consideration & he to get himselfe clear from traininge & watching as well as he can." Lastly, that widening of the streets permitted by every fresh devastation is kept in mind and improved, as it has been to our own time. Innumerable licenses are entered "to draw Beere" and to sell chucalatto (or chuculetto, or chocolatta) and syder. Hucksters who "forestale ye market by goeing out into ye necke & high way to Bostone to buy vp the provisions yt are brought in or comeinge into ye Towne & the sell the same againe at extraordinary deare rates," are made the object of a "prudentiall order." The case of John Lewis is entered as if with intent to order him out of the town, but the clerk in his amazement may have forgotten to finish the entry. John "came from Road Island, where his wife gaue him a paper of dismission from her in Octobr last & libertie to marry another woman, & he is now ingaged to ye widdow Williams to marry her by their owne confessions & lodgeth at Joseph Preists." In 1693, "The Selectmen humble pray the house of Correction may be made Capeable to entertain Idle drunken and disorderlie persons"—a use of the word entertain which sounds as odd to our ears as does "artist" in the following context: "Ye sd line ["between Boston & Lyn"] shall bee run by L. Fisher & Jno. Gardiner, if to bee had, or some other Artist." This word, by the way, does not appear in Mr. Priest's praiseworthy "index of places and subjects" which supplements that of names. The irrepressible negro occurs early, but only once in these records, on p. 5, and then as the "Chinese cheap laborer" of that day (5th of 2th mo., 1661):

"Whereas Mr. Tho: Deane hath employed a Negro in ye manufacture of a Coop, contrary to ye orders of ye Towne Itt is therefore ordered yt ye sd Mr. Tho: Deane shall nott employ ye sd Negro in ye sd manufacture as a Coop, or any other manufacture or science after ye 14th day of this month on ye penalty of 20s. for every day yt ye sd Negro shall continue in such employment."

One of the very last votes was "that a house be built for old Mr. Ezek. Cheever the Latine Schoolmaster."

—There is not one of the New England or Middle States but ought to envy New Jersey the possession of such a map as her State Geologist, Professor George H. Cook, and his assistants, aided by the United States Coast Survey, have just published. This map is in two sheets, and represents perhaps less than a tenth part of the entire area of the State, extending from South Amboy, at the mouth of the Raritan, north to Pompton Plains, and eastward of a line drawn from Green Pond to Bound Brook. In this tract lie the great cities of Newark, Jersey City, and Paterson, and the smaller ones of Hoboken, Elizabeth, Perth Amboy, Rahway, New Brunswick, Orange, Boonton, Plainfield, Morristown, etc.—in all, a population approaching six hundred thousand, and much the larger half of the inhabitants of the State. Politically it takes in the whole of Hudson, Union, and Essex, and parts of five adjacent counties. Geologically, it passes from the great clay region on the south into the glacial region bounded by the well-marked moraine which trends in a northwesterly direction from Perth Amboy, and embracing principally the field of red sandstone, hemmed in on the water side (the Palisades) and pierced in the centre (Orange Mountain) by trap, with part of the adjacent limestone, gneiss, and granite. The basins of the Passaic, Hackensack, Rockaway, Rahway, and Raritan Rivers are more or less fully depicted. The essential character of the map is topographical. It

is on a scale of one mile to the inch, with contour lines, showing the level above mean tide, ten feet apart in the plain country and twenty feet apart in the hilly portions, which latter by far predominate. Finally, the roads are completely laid down, and the pedestrian, the rider, or the bicyclist has now opened to him a district thirty miles square, containing some of the best artificial highways in the United States, and some of the most charming rural scenery. We should add that Staten Island is also delineated topographically, as by nature a part of New Jersey rather than of New York, and that the whole of Manhattan Island, the southwestern extremity of Long Island (including Brooklyn and the whole of Coney Island and its railway system), are flatly plotted on the eastern sheet. The map, therefore, serves a variety of purposes, and is not calculated for Jersey men alone, though its appearance simultaneously with an elaborate and flattering essay on the climate of New Jersey, in the newly issued report for 1881 of the State Geologist, suggests a probable effect of inviting first visitors and then permanent settlers to this beautiful suburb of our great metropolis. The execution of the map has been entrusted to the establishment of Julius Bien, whose workmanship is beyond comparison in this country, to say the least. We conclude by calling the attention of the Boston Appalachian Club to this contribution to its objects, in the hope that it may be prompted to secure for Massachusetts a geological survey, and ultimately such a topographical chart as this.

—Mr. Grant White's second paper on the "Opera in New York," in the April *Century*, brings his entertaining narrative down to the year 1847, and passes from mere tradition, or antiquarian research, into undisguised personal reminiscence. Fanny Elssler, John Braham, and Madame Anna Bishop are the best remembered names in the present catalogue, which is delightfully illustrated, as before, by contemporary portraits and other engravings. It is a singular coincidence that, while the magazine was on the press, an actual performance of Beethoven's "Fidelio," by Mr. Mapleson's company, was contradicting Mr. White's printed statement that that opera had not been given in New York since 1839, when it was performed by the Inverarity Company. But, what is more singular, as we ourselves can recall three times (in as many seasons) in which "Fidelio" has been performed in this city within the past twenty years, Mr. White here demonstrates the irrelevancy of his chaff in the opening of his first paper, about "the temporal vision of the average denizen of New York, as he looks backward," being bounded "by a horizon about fifteen years off." Ernst von Hesse-Wartegg's description of "Tunis and its Boy" is light and pleasant reading; Mr. Henry Watterson's "Oddities of Southern Life"—a "sampling" of old Southern humorous works, of the kind which Mr. Thomas Hardy found helpful to his impoverished invention—is even more dreary than the original sources; Mr. Andrew Lang's critical sketch of Matthew Arnold serves a good purpose in redirecting the public to so great a poet, but deals with his anti-Philistine and metaphysical prose rather, it would seem, perfunctorily than because Mr. Lang has a very profound interest in the problems so much taken to heart by Mr. Arnold. Undoubtedly the most impressive article in the whole number is Madame Ragozin's "Russian Jews and Gentiles," which is a skilful and apparently candid attempt to account for the persistent hostility of the Russian population to the Jews among them, and for occasional outbreaks like those hardly yet over in the Czar's dominions. To sum up, in a few words, the counts in her charges

is not easy. Relying on the revelations of a converted Jew, who, we are left to infer, is a solitary instance of revolt against the immoral code by which his former co-religionists are bound in their dealings with the Gentiles, Madame Ragozin portrays a racial character combining the pleasing qualities of a usurer, a soul-destroying rum-seller, a free-mason (with his horrid oaths and imprecations), a Jesuit, a member of the Vehmgericht. The great engine of Jewish greed for landed property is a peculiar communistic organization recognized for purposes of taxation and class government by the Russian authorities, and especially the box-duty on meat, which, though it grinds the face of the common Jew, furnishes much of the funds for the bribery of the local administration and the perpetuation of an intriguing, rapacious, oligarchic power. How far this is historical and antiquated, and how far fiction, we have no opportunity of judging. The editor promises a reply next month, and we shall endeavor to report it. Madame Ragozin, we observe, considers it highly unpatriotic in the Russian Jews to appeal so freely "to foreign sympathy and interference." They have, in fact, the resource of chalking crosses on their doors and shutters, and placing saints' images and Easter loaves in their windows, when the mob is abroad; and perhaps they ought to be content with this.

—The colonial and revolutionary archives of Maryland are about to be transferred from the Land Office at Annapolis to the keeping of the Maryland Historical Society in Baltimore, in accordance with a bill lately passed by the Maryland Senate (March 16), and House of Delegates (March 12)—a bill which was the outgrowth of a memorial presented to the Legislature by the above Society, and already mentioned in these columns. These archives embrace the acts and resolves of the Province of Maryland; the council books of the Proprietary; the journals and correspondence of the Council of Safety; letters from Maryland delegates in the Continental Congress; sixty-two manuscript letters from George Washington; letters from Knox, Marion, Gates, Lincoln, Greene, Lee, Lafayette, Pulaski, Steuben, De Kalb, De Grasse, Rochambeau; and papers relating to the Maryland militia, which did such efficient service at the North under Smallwood, and at the South under John Eager Howard. While many valuable records of colonial and Revolutionary Maryland have been lost or damaged from lack of proper care, those which yet remain will be faithfully preserved by the Maryland Historical Society, whose library is already a treasure-house of Maryland laws, documents, manuscripts, family papers, pamphlets, broadsides, and newspaper files (covering the entire Revolutionary period, and extending as far back as 1723). For the safe-keeping and easy consultation of the State papers and most valuable Society documents, a fire-proof room, adjoining the main part of the library, will probably be constructed, for members of the Society are now endeavoring to obtain funds for this purpose. The State has made an appropriation sufficient to begin the work of "arranging, editing, and publishing" the archives, together with "other documents pertaining to the history of Maryland." The State will be the owner of all volumes published by its aid, but the Society is empowered to sell these publications at cost price, and to add the proceeds to the State Publication Fund, simply reporting progress, receipts, and expenditures, from year to year, to the Legislature. Thus an undertaking which in the hands of politicians might perhaps have become a piece of printer's jobbery, as some States have found to their cost, is removed from all temptation and made a scientific

enterprise, enlisting not only legislative aid, but also the resources of a learned Society and the pride of all good citizens. The enterprise is kept upon a State footing, honorable to Maryland, while entirely in the hands of a trustworthy record commission.

—The Maryland Historical Society, when it shall have made the archives of the State generally accessible to students, will be in a position to encourage original research. It has a publication fund of \$20,000, left by George Peabody for the printing of papers elucidating the history of Maryland or of the country at large. At a recent meeting, the Society voted a considerable appropriation from its treasury toward securing copies of certain Maryland documents, missing in the Annapolis collection, and yet preserved in England, for it was the custom of the proprietary Government to send duplicates of all important Acts of provincial legislation to the mother country. The "Stevens Index of Maryland Documents in the State Paper Office, London," will doubtless be of great service to Maryland in recovering some of her long-lost records. This index, or calendar, contains descriptions and abstracts of 1,729 Maryland documents, covering the period from 1626 to 1780, and thus admirably supplementing the Annapolis collection. The index was prepared many years ago at the suggestion and expense of Henry Stevens, and was by him sold for £100 to George Peabody, who presented it to the Maryland Historical Society. This gift, of trifling cost when compared with other benefactions to Baltimore by the same hand, will yet, like the Peabody Institute, increase and multiply in power in proportion to the growing appreciation of its significance.

—The *Science Observer* has distributed, with its accustomed punctuality, a circular containing the elements and an ephemeris of Comet Wells, 1882, discovered on the morning of the 18th inst. at the Dudley Observatory, Albany. The elements are necessarily only approximate, being derived from observations during so short an interval, but they answer well enough as a basis for an ephemeris which will enable the comet to be followed for two or three weeks hence. All these data have been cabled abroad, using the ingenious telegraphic code devised by Mr. Chandler, of the Harvard College Observatory, and they will be circulated almost simultaneously in Europe, from Aberdeen and Berlin. The comet is already bright enough to be seen with any telescope above three or four inches of aperture, and has a pretty well-defined nucleus, and a tail which is already equal in length to nearly one-half the apparent diameter of the moon. Of this comet Prof. Boss says: "It is remarkable for its small perihelion distance, and its intense brightness in relation to its present distance from the sun. The elements cannot be considered to resemble those of any previous comet." So far as can now be said, the comet will be nearest the sun early in June next.

—Of Meyerbeer's operas "*Les Huguenots*" is at present the most popular in every city where Italian opera flourishes. "*Le Prophète*," "*Robert le Diable*," and "*Dinorah*" rank next in popularity, while for his last work, "*L'Africaine*," the demand seems to be much less urgent. In New York it had not been heard for so many years that its revival at the Academy on the 22d inst. had almost the appearance of a novelty, and it accordingly attracted an immense audience. New and gorgeous scenery and costumes had been promised by the management, and to a large extent this promise was kept. Mr. Mapleson has an uncommonly good-looking ballet corps, and a successful effort was made in the fourth act to display it to the best advantage

by means of gaudily-colored dresses, ingenious grouping and processions, and a picturesque background, with Indian vegetation and temples. The scenery in the third act was much less satisfactory. The cast of characters was necessarily as strong as Mr. Mapleson could make it, for the vocal score of "*L'Africaine*" is not of the easiest. Signor Galassi created the strongest impression by the vigorous accents of his sonorous organ, by his finished acting and his superb appearance. Next in order of merit comes Madame Hauk, whose *Selika*, if not fully equal to her *Carmen* from a histrionic point of view, was yet a fine personation. Deviations from the written score are very rare with this artist, and her pure, rich voice gives as much pleasure to the ear as her conscientious and clear phrasing does to the intellect. Signor Campanini's vocalization was characterized by the usual *aplomb*, smoothness, sentimentality, and occasional lack of tone-color; while in appearance, gesture, and facial expression he was as far removed from the ideal *Vasco da Gama* as from the ideal *Lohengrin* or the ideal anything. The rest of the cast calls for no serious praise or censure. Signor Arditi had his vocal and orchestral forces under proper control, and, considering the many difficulties of the work, it must be admitted that the performance as a whole was creditable to all concerned, although very far from perfection.

—Whether the opera is worth all the trouble and money expended on it is a question which we must answer in the negative. "*L'Africaine*" has one feature in common with Goethe's "*Faust*" and Wagner's *Nibelung Trilogy*: it occupied its author's attention at intervals during more than two decades. Here, however, the resemblance ceases, for, while in "*Robert*" and "*Les Huguenots*" there are occasional flashes of real genius, there is nothing in "*L'Africaine*," with the exception of the ballet-music, that could be musically ranked with "*The Mascotte*" or "*The Merry War*." Meyerbeer received the libretto of "*L'Africaine*" from Scribe in 1838, and at once began to make so many changes in it that Scribe finally lost all patience and actually withdrew the book. The music also he continued to alter, introducing a new song or chorus here and there, and never satisfied with the work as a whole, or the singers available for its production, until finally death overtook him, in 1863, before the work had been publicly performed. It has been asserted that this opera best represents Meyerbeer's emotional side, and that it is the most sympathetic and the most purely musical of all his works. But it is difficult to discover much emotion or good music in it, although it must be admitted, on the other hand, that it is comparatively free from the clap-trap and direct appeals to the galleries that vitiate most of his other works. It is said that at its first production in Paris the performance of this opera occupied more than six hours.

—The Philharmonic and Chorus Societies again united their forces on Saturday evening and gave their second and last concert of the season at Steinway Hall. It was in every way equal, and in some respects superior, to its predecessor. The programme combined the three essential elements of novelty, beauty, and grandeur, and the execution was excellent in all but one or two of the numbers. It could not be expected that so large a body of singers, only united a few months ago, should display the unflinching precision of attack, and the smoothness and even gradations of sound, that will come after a few seasons' practice; but we doubt if in this or any other country a chorus has ever been organized which, after so short an interval, could interpret in a more satisfactory manner that crowning glory of vocal difficulties,

Beethoven's *Massa Solennis*, of which the *Kyrie* and *Gloria* were sung. The *Sanctus* was heard at the last Brooklyn concert, and the whole work forms part of the May Festival scheme. In the days of Bach the orchestral instruments, when united with the voice in one composition, were treated very much like vocal parts. In Beethoven's great *Mass* the opposite extreme is reached. It is correctly described by Richard Wagner as a purely symphonic work, in which the vocal parts are treated like human instruments, while the underlying words serve merely as basis or material for the voices. Beethoven was too independent and purely musical to allow the traditions of vocal limitations and religious symbolism to impede the flight of his bold imagination. Consequently this work, like many others by Beethoven and like most of Wagner's, must not be judged from the point of view of the beautiful, but of the sublime, in the sense in which this word is used by Kant and Schopenhauer. Besides these selections from the *Mass*, the chorus assisted in the performance of the nine selections from Gluck's "*Alceste*," which were discussed in this place in connection with a recent Brooklyn concert, and in one of the two numbers from Berlioz's "*Benvenuto Cellini*" which preceded the *Mass*. The soloists in the Beethoven, Gluck, and Berlioz compositions were Mrs. Osgood, Miss Cary, Mr. Toedt, and Mr. Henschel. Of these the two first named have the advantage of more sonorous and beautiful voices, but Mr. Toedt and Mr. Henschel did not lag behind in their attempts to interpret conscientiously their difficult parts. Miss Cary also sang "*Voi che sapete*," from Mozart's "*Figaro*." The purely orchestral numbers were Schubert's unfinished symphony and the new supplementary movement to Rubinstein's *Ocean Symphony*. To judge by the persistent manner in which Rubinstein returns to this favorite work, he must have been more impressed by the ocean than Oscar Wilde. His aim seems to be to convey the idea of oceanic immensity by an indefinite number of new movements, already very numerous. Being only fifty-three years of age, he may easily live twenty more; and if he keeps on adding a movement every year, as he has done within the last decade, his ideal may be fully realized at the end. The new movement is not so beautiful as some of its predecessors, but is eminently characteristic and descriptive. It begins with a calm motion, which gradually leads up to a storm. This is followed by a lull, in which, however, the waves still run high, and toward the end the storm again returns with somewhat abated force. The composer makes full use of all the modern orchestral resources. The howling and whistling of the violins and piccolos up and down the scale, the blaring of the trombones, the growling of the double-basses, and the final crash of the drums, produce an effect that is suggestive both of the fall of the Tower of Babel amidst a storm, and of the agitated passages in the "*Flying Dutchman*." But, in its display of true elementary force and grandeur, Rubinstein's storm-music is as inferior to Wagner's as in its turn it is superior to the weak music Meyerbeer has written to the storm-scene in his "*L'Africaine*."

GREEN'S MAKING OF ENGLAND.

The Making of England. By John Richard Green, M.A., LL.D., Honorary Fellow of Jesus College, Oxford. London: Macmillan & Co.; New York: Harper & Bros.

MR. GREEN is an author the brilliancy of whose talents is apt to throw into the shade the solid merits of his work. He cannot, if he would, be dull. He is endowed with rare grace of style. He knows how to bring into relief the interest-

ing features of unattractive subjects. He can combine a mass of detached facts, which, in other hands, would simply oppress the memory of students, without in the least impressing their imagination, into a narrative which it is easy to read and hard to forget. He is, in short, a literary artist. This is patent on the very surface of everything he writes. It is, therefore, natural that the stupidity, no less than the dulness, of critics should suggest to them the conclusion that he is a literary artist, and nothing more. The soundness of this inference may appear confirmed by the fact that erudition and original research are obviously not the most prominent of Mr. Green's characteristics. He has always avowed himself, with admirable honesty, the pupil of teachers such as Freeman and Stubbs. Yet though all this is true, nothing is a greater mistake than to suppose or suggest that Mr. Green is a brilliant writer who has not made serious contributions to the knowledge of history. The truth is, that while every page he writes sparkles with life, vivacity, and spirit, Mr. Green, though occasionally too fond of a paradox, and, when writing of periods such as the eighteenth century, which lie a little beyond the limits of his special province, somewhat lax in his statements, is at bottom an author of sound and sterling good sense, whose special excellence lies in his grasp of the main facts of the eras with which he is called upon to deal as an historian. 'The Making of England' exhibits in the very strongest manner this "bottom of good sense" and of sound judgment, which underlies all his speculations, and students will miss half the instruction which they ought to gather from the pages of Mr. Green's last work if they are led by the beauty of his style and the ingenuity of his thoughts to overlook the sense and wisdom to be found in every page of the book.

Whoever wishes to assure himself that the most brilliant is also one of the most sagacious and sensible of historians, should note specially the combination of skill and judgment with which Mr. Green states, and to a great extent solves, the essential and, it must be added, most perplexing problem of early English history—namely, how it happened that the settlement of the barbarians, to use the classical term, in the Roman province of Britain had an entirely different character from their settlement in other Roman provinces such as Gaul or Italy. No person who reads 'The Making of England' will fail to understand the nature at least of the puzzle. Gaul and Britain were each provinces of the Roman Empire; each of them was the field of Roman civilization. In each, Christianity, the official religion of Imperial Rome, became the creed of the state. Britain and Gaul alike were occupied by Germanic and heathen conquerors. What the Franks were to the Gauls, that the various tribes of Saxons were to the Britons. Roughly speaking, the fate of the Gallic and of the British province may be said to have been the same. Yet—and this is the matter which calls for explanation—the same causes appear to have led in the different countries to diametrically opposite results. The Franks assuredly did not in any sense drive out the Latinized Gauls. The civilization of Rome, the language of Rome, the laws of Rome, were not in any sense rooted out from Gallic soil. The imperial civilization and the imperial religion triumphed over the German conquerors. France has remained, and will remain for ever, one of the Latin countries of the world. The Jutes and Angles, on the other hand, did drive out the Romanized Britons from the greater part of Britain. When the country was at last transformed from Britain into England, a far deeper change had taken place than is marked by the transformation of Gaul into France. A

British or Roman had become a Teutonic land; the advance of the Saxons meant the extirpation or the withdrawal of the British.

This fact has naturally excited not only attention, but doubt; for the expulsion of one race by another is in reality one of the rarest of phenomena; and ingenious theorists, having shown, what is certainly true, that Roman civilization struck firmer root than is popularly supposed in Britain, have attempted to demonstrate, what is certainly false, that the British race and Roman civilization exerted great and direct influence on the institutions of the English invaders. Mr. Green, following essentially the steps of Mr. Stubbs, demonstrates with a clearness and impressiveness not to be found in any other writer with whom we are acquainted, that the British retreat from the greater part of England is as undoubted a fact as can be any event of the past. His mode of enforcing this conclusion is not the use of out-of-the-way arguments or of fine-drawn subtleties, but the plain statement of large and visible historical phenomena. The "tradition," in the first place, "both of conquerors and of conquered, tells us that an utter change had," as a consequence of the Saxon conquest of England, "taken place in the men that dwelt in it. They knew themselves only as Englishmen, and in the history or law of these English inhabitants we find as yet [A.D. 577] not a trace of the existence of a single Briton among them. The only people that English chronicle or code knows of as living on the conquered soil are Englishmen. Nor does the British tradition know of any other. Had Britons formed part of the population in the land which had been reft away by the invader's sword, they must have been known to their fellow-Britons beyond the English border; but in the one record of such a Britain that remains to us, the history of Gildas, there is no hint of their existence. To him, as to his fellow-countrymen, the land of the Englishmen is a foreign land, and its people a foreign people."

Tradition is in such a case a matter of great weight; but, in the second place, local nomenclature, the evidence of language, the condition of English towns—facts, as the saying is, which cannot lie—confirm the witness of tradition.

"The designations of the local features of the country—indeed, the names of hill and vale and river—often remain purely Celtic. There are 'pens' and 'duns' among our uplands, 'combes' in our valleys, 'exes' and 'ocks' among our running waters. But when we look at the traces of human life itself, at the names of the villages and hamlets that lie scattered over the countryside, we find them purely English. The 'vill' and the 'city' have vanished, and in their stead appear the 'tun' and 'ham' and 'thorpe' of the new settlers. If we turn from the names of these villages to those of the men who live in them, the contrast becomes even stronger. So far as existing documents tell us anything, they tell us that Roman and Welshman wholly vanished from the land. When Gregory of Tours writes the story of Gaul after its conquest by the Franks, we meet in the course of its narrative with as many Roman names as Frank. But in the parallel history of Britain after its conquest by the English, which we owe to Bede, we meet with no British or Roman names at all."

Latin, which had been the official tongue of the province, the language of its soldiers and civil administrators, withdrew before the invaders to the southwest and the west. When it reappeared with the Christian missionaries it came as a foreign tongue, unintelligible to the men dwelling in England.

"The British tongue—the tongue, that is, of the mass of the population even under Roman rule—though it lived on as the tongue of the Britons themselves in the land to which they withdrew, has left hardly a trace of its existence in the language which has taken its place over the conquered area. There is the same utter change in government, in society, in law. The Roman

law simply disappeared; and no trace of the body of Celtic customs which form the Welsh law can be detected in the purely Teutonic institutions which formed the law of the English settlers."

If any fragment of the provincial life had survived, it would have been the municipal organization, which elsewhere handed down the tradition of the Empire.

"But with the English conquest the towns disappear. . . . As the conquest passed over them, the towns of Roman Britain sank into mere ruins. Some never rose from their ruins. Anderida remained a wreck of uninhabited stones in the twelfth century, and its square of walls remains lonely and uninhabited still. Silchester and Uriconium, large as they were, have only been brought to light again by modern research. The very sites of many still remain undiscovered."

There is, thirdly, the evidence of religion. The faith of Britain perished utterly.

"Nothing brings home to us so vividly the change which had passed over the conquered country as the entire disappearance of its older religion. Had the conquest of Britain been in any way like the conquest of Italy or of Gaul, its religious issue could hardly have been other than theirs. Had the Britons been left existing on the soil as a subject population, . . . the change of faith would most probably have been a change in the religion of the conquerors, and not of the conquered. . . . It was not the Britons who would have become worshippers of Woden, but Engle and Saxon who would have become worshippers of Christ. . . . But what we find is the very reverse of this. The Church and the whole organization of the Church vanished. . . . So far was any connection with Western Christianity from existing, that all the rest of the Christian world, whether of Celtic or of Roman obedience, lost sight of the conquered parts of Britain altogether. When Rome long afterward sought to renew its contact with it, it was as with a heathen country. . . . When missionaries at last made their way into its bounds, there is no record of their having found a single Christian in the whole country. . . . It is hardly possible to conceive a stronger proof that the conquest of Britain had been a real displacement of the British people; for if Wodenism so utterly supplanted Christianity, it can only have been because the worshippers of Woden had driven off from the soil the worshippers of Christ."

This, then, is the fact. What is the explanation? The answers generally given are unsatisfactory. The Saxons, it is said, were a race of peculiar ferocity. There is not, however, a tittle of proof that they were more savage than the Franks or other Teutonic tribes. Savages, moreover, especially when invading in small bodies, preserve women and children as part of their plunder. The Britons, it is suggested, were a feeble race, unable to resist the invaders. The fact, however, is, that the British resistance was peculiarly lengthy and tenacious. The explanation of a phenomenon which still requires further investigation is to be found, according to Mr. Green, in the admitted facts of the case. The inhabitants of Britain were destroyed just because they were able to resist. The invaders, coming as they did by sea, could arrive only in small numbers. The character of the country—a land, as Mr. Green is never weary of reminding his readers, of marshes, of hills, of forests—lent itself easily to defensive warfare. Every step in advance was gained by battle. Wherever there is fighting there is slaughter, and the Britons who were not slain in battle retreated to the hills and the woods. The Roman civilization, moreover, though real, was superficial; hence a far more rapid return to British barbarism than might at first sight have been expected. A result follows to which Mr. Green hardly gives all the weight which seems to be its due. The invaders of Gaul and Italy were conquered by the impressiveness of Roman civilization. The empire with which they more than half amalgamated filled them with awe. When the Saxon invaders had destroyed two or three towns, they

found themselves face to face, not with the relics of an august civilization, but with men little less barbarous than themselves.

The very same facts which account for the British resistance also account for British relapse into barbarism. Invaders who would have stood awestruck before the shadow of the majesty of Rome, found little to impress their imaginations in the semi-civilized society of Britain. It was not Christianity, but the organization of the Latin Church, which overpowered the barbarians. The British Church, separated by the seas from the organization of Rome, was deficient in the chief means of resistance and of victory. Something must, further, we suspect, be allowed for that mass of causes which, just because we cannot explain them, we call by the name of race. There is something at any rate very curious in the mingled tenacity and weakness of the Britons. They could resist and they could retreat; but in the long run they could never conquer. However this may be, Mr. Green is assuredly right in attributing the fate of the Britons to the peculiar circumstances both of the Saxon attack and of the British resistance, nor is the correctness of his conclusions the main point worth notice. He may be, we may almost say he must be, in error on many points. As knowledge of the past extends, the views of each investigator must in their turn be corrected. What is of importance is far less the truth of Mr. Green's theories than the indisputable soundness of his method. His eye is always turned to the large and striking facts of the past. He discards the perilous byways of theory and crotchet, and keeps along the solid and clear broad high-road of common sense. An author who does this has done much more than establish the certainty of favorite speculative conclusions. He has achieved the best work which an historian can achieve: he has taught his readers the only sound mode of historical study.

RECENT LAW BOOKS.

MR. JOEL PRENTISS BISHOP'S 'Commentaries on the Criminal Law' (Boston: Little, Brown & Co.; seventh edition, revised and enlarged; 2 vols.; 1882) is a book of standard authority. Considerable alterations have been made in the present edition. A chapter on "Authorities and their Weight" has been added, which contains a brief discussion of *stare decisis*—i. e., the rule which makes precedent binding—in criminal cases; and several other chapters have been rewritten in part or altogether. Ten thousand four hundred and sixteen is the total number of cases cited in the two volumes, the number of new cases added in the present edition being 902. The new chapter on "Authorities and their Weight" will be found of not a little use in practice, but Mr. Bishop's discussion of the doctrine of *stare decisis* can hardly be considered of much value. He makes a distinction with regard to this rule between acts wrong in themselves and crimes merely prohibited by statute, and suggests that in the latter case any departure from rules of decision already announced would result in gross injustice, being too much in the nature of *ex-post-facto* judicial legislation; while, at the same time, with regard to acts wrong in themselves, he thinks there is no very great objection to overruling established doctrines if clearly erroneous. This distinction involves a discrimination by the court between the two classes of cases which seems wholly unwarranted by any principle of our jurisprudence. The courts know, and can know, no difference between acts wrong in themselves and acts prohibited by statute, so far as the binding force of precedent goes. Another suggestion of Mr. Bishop's is, that in civil cases the principle of

stare decisis, involving as it generally does rules of property which the business community accepts as guides in its transactions, and under which rights are acquired and transferred, is of more importance in making the law uniform and settled than in criminal cases. But why criminal law should be considered as not affecting rights of property, considering that most crimes are violations of property rights, it is hard to see.

In his preface Mr. Bishop calls for the establishment by the National Bar Association, or some similar body or individual, of a bureau to examine every book on the law, and especially every new one, and report in writing replies to the following questions: "Is it a reprint of a foreign work?" "How far is it original?" "Are there concealed piracies?" "Was the work done personally by the ostensible author?" If a book of reported cases, "did the judges, in their opinion, deal fairly with counsel, text-writers, and one another?" We can see only one objection to this proposal, and that is, that a second report would have to be made by some second association or individual as to how the work of the first had been done. After all, the worth of law books and the manner in which they are written can only be tested by time and use. With regard to some well-known works in use by the profession for several generations, it is still difficult to make out their exact position and value. An amusing instance of this we find in Mr. Bishop's treatise. He says of Kelyng's Reports: "The collection is of considerable value, and it has marks of greater accuracy than most of the old posthumous Reports." On the other hand, Lord Campbell, in his 'Lives of the Chief-Justices,' closes his life of Kelyng with the remark, "I have to mention among his other vanities that he had the ambition to be an author, and he compiled a folio volume of decisions in criminal cases which are of no value whatever, except to make us laugh at the silly egotisms with which they abound." Mr. Bishop's treatise is so well known that it is hardly necessary at this day to go into its general merits, except to say that it is chiefly to be prized as a digest of cases, and not for its original discussions of the law.

The new method of legal study at the Cambridge Law School is well illustrated in a 'Selection of Cases on the Law of Bills and Notes and other Negotiable Paper,' by Prof. J. B. Ames (2 vols. Boston: Soule & Bugbee. 1881). It is a companion volume, in a certain sense, to Prof. Langdell's 'Cases on Contracts,' and is primarily intended for the student rather than the practising lawyer. The volume contains, however, a great deal of valuable discussion and suggestion in the form of very compendious notes to the cases. The method of studying law by going to the original authorities, instead of taking the principles at second hand from the text-books, has now made such headway at Cambridge that it is likely to spread to the other law-schools of the country. There is no doubt that it is the true and only way to gain an understanding of the common law. Those who take the opposite view, and cite in proof of the serviceability of text-books such commentaries as those of Kent and Blackstone, which have, in the course of time, come to have an independent value of their own, should remember that these works themselves were originally mere expositions of the law, extracted by teachers of it from the cases at first hand. They taught the law as found in the cases very much as Messrs. Langdell and Ames now do, although they did not see quite as clearly as we now see the distinction between the authority of a decided case and that of a commentator. One great objection to the method of learning law

exclusively from text-books is, that after it has been learned, the student, as soon as he arrives at the point where actual practice begins, is rudely awakened to the fact that his method of acquiring legal principles is not the one used among the lawyers or by the judges who decide the cases which he may be called upon to argue. The objection to the new system frequently raised is that it produces "case-lawyers"—that is, lawyers whose heads are stuffed full of authorities, but are unable to extract from them any principles of decision. But no intelligent instructor in law would use cases for any other purpose than with a view to generalization, as far as possible, in the end. At any rate, there is far more danger at the present day from loose and hasty generalization of legal principles than there is from confining the student too closely to concrete facts as they appear in decided cases.

The ninth edition of 'Story's Commentaries on the Law of Agency,' by Mr. C. P. Greenough (Boston: Little, Brown & Co. 1882), contains more than fourteen hundred new cases. We are glad to see that the text of the original work has been restored to that of the last edition published by Judge Story himself, while all interpolations and additions by subsequent editors have been preserved in the notes. The notes of the present editor are very compact and valuable. Story's work on Agency is still the leading authority in this country, although the subject since his time has received such a development that it is difficult to say how long this will remain true.

Mr. John D. Lawson's treatise on the 'Law of Usages and Customs, with Illustrative Notes' (St. Louis: F. H. Thomas & Co. 1881) is arranged, like the author's previous work on 'Common Carriers,' in the form of leading cases, with appendices in the shape of notes. The book will be found valuable as a collection of authorities. The old discussion as to custom as a source of law has lost most of its significance since the discovery of the general fact that in primitive communities custom is always antecedent to law, and that the conception of law as a command issuing from a sovereign authority, with a sanction annexed to it, is a modern conception, almost unintelligible in communities such as, for instance, those of the East, where custom still regulates family and individual life. In our law, custom is chiefly invoked to alter or modify the general rules of jurisprudence, and no one can look over Mr. Lawson's book without becoming convinced that this tendency is capable of dangerous abuse. Attempts are continually made in the courts to nullify elementary rules, not merely of the law, but of positive morality.

One or two amusing instances of this are given by Mr. Lawson. In the Court of Common Pleas in London, in 1860, an attempt was made to introduce evidence of a usage among undertakers to charge the original cost of the articles used at any funeral, although they might be used at other funerals and thus paid for over and over again. Mr. Justice Keating, who tried the case, allowed the evidence to go to the jury, but told them if they considered the custom unreasonable or unrighteous, they ought not to found a verdict upon it; and their verdict, accordingly, was for the defendants. In another case, the late Mr. Justice Maule illustrated the principle of law that a custom must be reasonable as follows: "It is a usage in the strawberry business to put all the large strawberries at the top of the pottle and all the bad ones at the bottom; but that would be hardly a fair custom as against a customer who had bought a fair pottle." In a case very recently decided in the Court of Appeals in this State, a principal sued a broker for deceit in making representations as to the solvency of a customer in the cigar business. The defendant,

for the purpose of showing that the deceit did not influence the action of the plaintiff, was permitted to prove by persons engaged in the tobacco trade that, by the custom of the tobacco business, no reliance whatever is placed by manufacturers and sellers upon the representations of the brokers employed to make sales, in respect to the credit of persons from whom orders are procured. The Court of Appeals thought that such evidence was not admissible, and said:

"Evidence of the custom of a particular trade is admitted to supply what is not expressed, or to explain what is doubtful, upon the presumption that persons engaged in a particular trade are acquainted with, and understand and tacitly assent that their contracts shall be interpreted in the light of, the recognized usages of the trade. But there is no ground for this presumption where the usage attempted to be shown is repugnant to common sense, or is based upon a disregard of the relations which exist between men or the duties which in law or morals they owe to each other. The broker was bound to the utmost fidelity in the business of his employers. His relation to them was such that naturally his representations in respect to the commercial credit and pecuniary ability of his customers would carry weight and influence. He was bound in law and in morals to make no representation which he knew to be false, and to conceal nothing which he should learn in the course of his employment which it was for the interest of the plaintiffs to know. The plaintiffs, on their part, had intrusted him with their interests. They, of course, would take notice of the fact that the broker was interested to earn his commissions; but they had a right to assume that representations made by him in the course of his employment would be truthful. The custom and usage which was allowed to be shown proceeds upon the theory that a broker in the tobacco trade is unworthy of the confidence of his employer, and that this is so well understood that it has become the rule of the relation between them that the employer ignores and disregards the representations of the broker upon the vital question of the financial credit of customers, although the representation was made in the course of his duty. It was competent for the defendant to show that the plaintiffs did not, in fact, rely upon, and were not influenced by, the representation contained in his letter; but this could not be shown, we think, by proof of a custom or usage in the tobacco trade."

Mr. M. M. Bigelow's first American edition of W. Blake Odger's 'Digest of the Law of Libel and Slander' (Boston: Little, Brown & Co. 1881) is, like all Mr. Bigelow's editions of standard works, carefully prepared. His power of statement is not very great, but his industry and accuracy are always commendable. The book as a whole should be considered, as it purports to be, rather a digest than a treatise. It is full of curious learning, of one kind and another, of great interest to all classes of the community. At page 9 we find a definition of libel and slander taken from the Civil Code of the State of New York, as if that remarkable body of law had been enacted by the Legislature. It may be worth while, as the adoption of the Code is now pending, as usual, at Albany, to call the attention of the gentlemen interested in the matter, and of Mr. Field, to the fact that a more preposterous definition of libel and slander was never put together in half a dozen lines. By it, libel is described as a "false and unprivileged publication, by writing, printing, picture, effigy, or other fixed representation to the eye, which exposes any person to hatred, contempt, ridicule, or obloquy, or which causes him to be shunned or avoided, or which has a tendency to injure him in his occupation"; while slander is defined to be

"a false and unprivileged publication, other than libel, which (1) charges any person with crime, or with having been indicted, convicted, or punished for crime; (2) imputes in him the present existence of an infectious, contagious, or loathsome disease; (3) tends directly to injure him in respect to his office, profession, trade, or

business, either by imputing to him general disqualification in those respects which the office or other occupation peculiarly requires, or by imputing something with reference to his office, profession, trade, or business that has a natural tendency to lessen its profit; (4) imputes to him impotence or a want of chastity; or (5) which, by natural consequence, causes actual damage."

Does libel necessarily depend "on fixed representation to the eye"? Under this section of Mr. Field's Code, a publication printed in raised blocks for the blind would not be a libel. Again, a libel need not necessarily be false; a cartoon in a comic paper may be libellous, without there being the slightest falsehood in it. To say of a man "that he is an honest lawyer" has been held to be libellous, but it would be very difficult to make it so under this Code. Slander, on the other hand, is not a "publication," and its subdivisions in Mr. Field's Code are not recognized in any of the standard works on the subject. As Prof. Dwight recently pointed out in the *Nation*, there is something ludicrous in the idea that a mistaken report that "so-and-so has scarlet fever" would expose any one repeating it to an action of slander. These subdivisions have been introduced as if dependent on distinctions in substantive law, when in reality they relate simply to the damages which can be recovered by the person slandered. The two sections, taken together, are not in any sense a statement of law as it exists anywhere in the civilized world.

The distinctions between libel and slander are, in our system of law, very numerous, and not by any means rational. The law of slander grew up in the community without much direct interference from the Government, while the law of libel, coming in with the introduction of printing, derived its early severity from the desire of the Government to prevent freedom of speech. In slander, except in a few special cases, the plaintiff has to prove actual damages. In libel he has to prove merely publication. Some of the results of this distinction are very extraordinary. Thus, to accuse a man of fraud, dishonesty, immorality, or any vicious, dishonorable, or criminal conduct is not actionable, unless it has produced as its natural and necessary consequence some pecuniary damage to the plaintiff, and he can prove this. The following species of abuse may be indulged in with almost perfect safety. Any one may talk of his neighbor as "a scurvy, bad fellow," "a rogue," "a villain," "a varlet," "a common filcher," "a cozening knave," "a welcher and a swindler," with little danger. It appears from the decisions, too, that he may add, "I know enough about you to hang you," "you cheated your brother-in-law of upwards of ten thousand dollars," "you cheat everybody," without much greater risk. On the other hand, it is libellous to publish of a man that "he is an infernal villain," "an impostor," "a hypocrite," "a frozen snake," "a rogue and a rascal," "a dishonest man," "a mere man of straw," "an itchy old toad," "a desperate adventurer, association with whom would inevitably cover gentlemen with ridicule and disrepute," that "he grossly insulted two ladies," that "he is unfit to be trusted with money," that "he is insolvent and cannot pay his debts," that "he was once in difficulties," that he is "the most artful scoundrel that ever existed," "is in every person's debt," that "his ruin cannot be long delayed," and that "he is not deserving of the slightest commiseration." The ground usually stated by the courts for the distinction between libel and slander is, that a libel is more likely to lead to a breach of the peace than spoken words; but this is one of those explanations invented by the courts to justify the rules of law actually existing, and is of little or no historical value.

RECENT NOVELS.

One May Day: A Sketch in Summer Time. By Miss Grant. New York: Harpers.

A Heart's Problem. By Charles Gibbon. New York: Harpers.

God and the Man: A Romance. By Robert Buchanan. New York: Harpers.

Esau Runswick. By Katherine S. Macquoid. New York: Putnams.

Joseph's Coat. By David Christie Murray. New York: Putnams.

The Dingy House at Kensington. New York: Putnams.

Eunice Lathrop, Spinster. By Annette Lucile Noble. New York: Putnams.

John Ear, and Mamelon; or, The South without a Shadow. By Albion W. Tourgée. New York: Fords, Howard & Hulbert.

The Senior Partner. By Mrs. J. H. Riddell. New York: Harpers.

Benvenuto; or, Rainbow Colors. By Emma Marshall. New York: E. P. Dutton & Co.

The Four Macnicols. By William Black. New York: Harpers.

The Burgomaster's Wife. By Georg Ebers. From the German by Mary J. Safford. New York: W. S. Gottsberger.

Aspasia: A Romance of Art and Love in Ancient Hellas. By Robert Hammerling. Same translator. New York: W. S. Gottsberger.

John Inglesant: A Romance. By J. H. Southhouse. London and New York: Macmillan & Co.

Of the eight stories which head our list, Mrs. Macquoid's is easily the best. None of them presumes to be of the first rank, but all are pleasing enough to repay brief reading. 'One May Day' is in Miss Thackeray's manner, though the author lacks her resources for setting and accessories. 'A Heart's Problem' has a heroine with a double, and her woes are due to the disappearance of one of those letters which, for the benefit of the makers of plots, have been going astray ever since novel-writing began. 'Eunice Lathrop' has some incidents so sensational that we should have passed it by but for the very pretty sketching in the earlier chapters. The pictures of the life of the country minister and his daughter are very delicate, and to interleave them with the suicide of an adventuress is like throwing sweet wild flowers into the dirt and grime of an ash-heap. 'Esau Runswick' is a tale, half French, half English, of an old man cramped and embittered by early disappointment, but won back to forgiveness and charity at last by the loving tenderness of his niece. Mrs. Macquoid has plenty of materials with which to fill in the details of her work, so that there is little excuse for such careless heaping together as in this description of a lady's boudoir: "On the walls and about the room were Venetian and Florentine mirrors; carvings in ivory and wood from Nuremberg; Dresden figures and Sevres cups and saucers; Japanese bronzes; Oriental rugs and chair-coverings; Chinese curios—almost every part of the world had paid its tribute to the beautiful little room." It is a cheap way of producing an effect, to which it is time to object, as it is now too often repeated. What is it better than an appraiser's list or an auctioneer's catalogue? We were about to turn to Miss Thackeray for an example of what the picture of an interior ought to be to give the reader a sense of individuality, but a bit turns up nearer to our hand in 'Eunice Lathrop.' Perhaps it is all the better for an illustration in that it is intrinsically worth nothing. It has, however, a character of its own, and does not

sound like a mere copy of a newspaper advertisement. It is the spinster's sitting-room :

"A multiplicity of foam-white tidies bubbled up over the surface of her sofas and chairs. The rainbow parasols of grotesque celestials hung from her gas-fixtures, arabesques of autumn leaves meandered artistically around the hieroglyphics of presumably pious texts, and all the surroundings were suggestive of a fancy bazaar. What if every fern, every illumination, every wretch of a tidy put in the eloquent plea of 'Stay at home with us, Miss Eunice !'"

'God and the Man' has been heralded as "so powerful, so dramatic," but the reader will not reach the second half without the conviction that it is like the power of a man who has shouted himself hoarse. The theme is implacable, undying hate. The writer has chosen somewhat the same path as that of the 'Wreck of the Grosvenor' books ; but he is decidedly ahead in that he has conceived the idea of setting afloat in mid-ocean not only a pair of lovers, but also the disappointed suitor, who, by way of revenging himself, has set the ship on fire. He that has breath to follow, will have his fill of icebergs, starvation, and desolation. The end ought to be impossible : that the pious, gentle Priscilla should still love with "a great joy" this wild Berserker, even while he is confessing, "He perished through my hate ; that guilt is on me." But who shall say what a woman may not have done ?

'John Eax' and its companion story 'Mamelon' can hardly add to the literary reputation of their author, though he is surely entitled to the credit of his good intentions. "If the North and South are contrasted, it is but to show the fusing potency of love, or the solvent power of manly friendship." These short stories were written prior to the books which have made his name famous, and their publication is doubtless only another instance of the eagerness of publishers to put forth anything that carries the prestige of a previous success. To say they had better have been left in obscurity, is not to deny the merit of some of the descriptions of both scenery and character. The second story has, in the form in which it is cast, an unpleasant improbability. On St. Valentine's Day, to "a group of merry girls, with fair, light eyes and restless, eager ways," a wife still young is supposed to narrate the history of her married life, culminating in the attempt of her husband to commit suicide in order to obtain a life-insurance, to save her from poverty. Thanks to a timely fit of apoplexy, he misses his aim. Whether this last makes the story itself more likely or not, it certainly makes her telling it to such an audience, upon a three weeks' acquaintance, the more curious.

'Joseph's Coat' is a suggestive title, but it has a slender connection with the story, being only a garment in the lining of which are lost the "marriage lines" of Dinah Banks. *Hinc ille lacrymæ*, and a wonderful winding in and out of plot, till, in the depths of a coal-mine where she is buried by an explosion, her husband—a returning prodigal of the better sort—finds her at last. The incidents border upon the extravagant, but there is a homely frankness about the characters, both good and bad, that gives reality to the story.

We commend 'The Senior Partner' as a novel that will last—no small recommendation to people of busy brains, who turn to a novel for refreshment on the same principle that they go to see a good comedy. It is so solidly, carefully done, that there is no temptation either to skip it or skim it. It is in this respect more like Trollope's work than we should have supposed a woman's could be. Much of it has that same photographic fidelity. Robert McCullagh—"plain auld Rab"—is the head of a commer-

cial house in London, but one where everything is Scotch—"deeply, darkly, beautifully Scotch." His one virtue is his unswerving honesty, as, cold of heart and hard of head, he makes his loveless way to fortune. Such a man must needs be harsh to his children, and the plot deals mainly with his injustice to his son Robert and the heaping of coals upon his head by Robert's noble wife. But the interest is less in that side of the story than in the contrast between McCullagh and Pousnett, who is the veritable "Senior Partner." The contrast is never obtruded, but left to impress itself on the reader's mind in the development of events : Rab, always crabbed, repellant, grasping, but always with the fine fibre of strict honor in his nature ; Pousnett, winning, suave, plausible—speaking never a falsehood, but, equally, speaking never the truth.

'Benvenuta' is a faintly entertaining story, which would not require mention were it not for the conspicuous "Home Reading for Girls" upon the cover. An older person would see at once the unreality, and the silliness that comes hard upon vulgarity, but young girls might not detect its absurdities. Benvenuta writes a novel between bedtime and ten o'clock next morning, of which three editions are published, and Netta paints thousand-dollar pictures for the Academy. The most objectionable part of the book is the story of the second marriage of Benvenuta's father. Mrs. Powis is not at all the cruel step-mother, and the grown-up children have no recollections of their own mother ; but the lady's folly and Benvenuta's righteous indignation are worked up in a way to be painful if real, yet are here only ludicrous. Outside of questions of absolute principle, there is probably nothing about which preconceived notions in a girl's mind can do more to destroy happiness, most of all her own, than this matter of a father's second marriage. Because of its false teaching in this regard, the book is positively to be condemned.

'The Four Macnicals' is only a bit of a sketch, which the reader will wish were longer, of brave, hearty Scotch fisher-lads to whom sixpence is affluence, and a shilling a fortune. It has in it all the best traits of Mr. Black's work, and the peculiar charm with which he always depicts life upon the sea. It has, too, a special wisdom, in that the boys work their way up in a natural manner. No miraculous discovery, no prodigy of benevolence smooths the path for them ; they make their own modest fortune with only such help as diligence and perseverance may expect.

It is doubtful if in all historical writing there is any episode of which it is oftener said, "It reads like a story," than of the chapter in Motley's 'Rise of the Dutch Republic' entitled "The Drama of Leyden." To compare it page by page with 'The Burgomaster's Wife' will only prove the superiority of the history in clearness, vividness, and, withal, nobleness. Nor is this to disparage the novel, which presents a stirring picture of that stormy time when Leyden stood a desolate, but steadfast, witness for the Protestant faith. Both historian and novelist have selected the same incidents, and even to minute details, so far as real facts and persons are concerned, the novel might have been made up solely from the pages of Motley. The women and children whom Ebers has introduced in the families of the burgomaster Van der Werff and his friends are gentle, gracious figures, and at any other time their love and fidelity would strongly appeal to our sympathy. But such feeling is already so strongly excited by the horror of the situation, that the ordinary material of romance seems impertinent. One regrets that the space given up to it had not been devoted to a fuller account of what was going on outside of Leyden—the successive stages by which the

country was flooded, and that marvellous voyage of the fleet of deliverance, instead of leaving it to be just hinted at in the broken story of one of the sailors. We are conscious, however, that this is more of a loss to German readers : for to an American any version of it after Motley's would seem a story at second hand.

'Aspasia' belongs to the same series of translations, of which we may say in passing that they are very attractive in their make-up. To do justice to the author, he may speak for himself from his preface, first as to romance-writing itself :

"Philosophers are right in asserting that the idea never merges wholly into reality. The poet of tendency pursues it to a high point of its development, holds it forcibly at a spot which it really only touches in passing, makes it shimmer and sparkle for the pleasure of mortals, and converts the soap-bubble into the fixed star. Pure, unpremeditated poetry, on the contrary, accompanies the idea on its way to realization to the spot where, to restore itself to its former purity, phoenix-like, it delivers itself to a fiery death."

Of this romance in particular he says : "It not merely contains, in a positive form, beautiful sensuality glorified by intellect, in its development, prime, and decay, but the conflict between the æsthetic and moral ideal of existence arises, and is decided in the life of an individual and the destiny of a nation." The obscurity of the first statement may be the fault of the translator, but there can be no doubt of the tone of the second. To justify the picture by its truthfulness would be beside the mark. No one but the special student of the history of morals has any concern with that aspect of the life of antiquity. None of the arguments which are advanced in defence of the representation in fiction of the corruption of modern life have any weight in a case like this. Here, if ever, the past should be left buried with its dead. The book is useless as a study of art. It is a book of information rather than of learning. Of the stories, much is made of one so trite as the acanthus leaves on the grave and the Corinthian capital, and Aspasia repeats at length the school-book dialogue of the better garment and the better husband. All the real effort of the book has gone to the portrayal of scenes of wanton luxury and pleasure, while much that might have been in the original only repelling is here made repulsive by the lack of delicate shading in the translation. A pessimist would need no better text for a lament over the downward tendency of modern fiction than the contrast between this book and the grave, severe beauty of Landor's 'Pericles and Aspasia.' Judged by a literary standard only, there is deeper tragedy in the calm, slow words which Landor gives to Pericles, "I am living in a city of tombs and torches, and the last that I saw before me were for my children," than in the whole chapter of fevered realism which describes the plague in Hammerling's book. Morally, the two works are as far apart as a Greek tragedy and a play of Dumas, fils.

'John Inglesant' is in form the biography of a gentleman of the seventeenth century, "sometime servant to King Charles I.," trained, though in secular life, by the Jesuits, in order the better to be their agent between all religious and political parties in England. The book, one might say, is an epitome of the literature of that time. Here are pages from Evelyn's diary, episodes from Gramont, a chapter from the 'Leviathan,' and the dreams of the Quietists. It is made up ostensibly from papers found at the country-seat of an old Catholic family, and some want of skill in form prevents the reality of effect which the writer intended. On one page we are told even the dreams of Inglesant. On the next, the parenthetical "as it appears," "it would seem probable," destroy all illusion. There is no

plot in the sense of mutual influence of the characters one upon the other, but by the single connecting-thread of the hero's personal experience a long train of famous figures are marshalled before the reader, while the political history and the religious controversies of the time are alternately brought forward by Inglesant's occupation in important and delicate diplomatic missions, and by his search for the true philosophy of life as he successively comes in contact with the leading thinkers of his day. It would not be quite just to call the book too ambitious, or its flight too high, but it attempts to cover too wide a field to permit the highest success. The English part of it is less interesting, less vivid than the Italian. The first volume has many passages that are flat and tame. Witness this of a grand pageant, the English Queen and all the court on the river: "He never forgot the sight to his dying day, and it was doubtless one to be long remembered by those who saw it for the first time." The chapters devoted to Italy, on the other hand, are full of exquisite descriptions of nature, in which are set episodes of deep feeling and lofty exaltation. The vision of the blind friar is a prose poem that reads like Milton's rolling verse, and yet it is as simple as the hymn of a child. The reader may take large exceptions, but there will still remain what must make the book a permanent addition to the store of romantic fiction.

THE ST. LOUIS BRIDGE.

A History of the St. Louis Bridge; containing a full account of every step in its construction and erection, and including the theory of the Ribbed Arch and the tests of its materials. By C. M. Woodward. St. Louis: George I. Jones & Co.; New York: D. Van Nostrand. 1881.

AFTER the lapse of more than seven years since the completion of the great bridge across the Mississippi River at St. Louis, an historical description of its construction is given to the public by Prof. Woodward, who, though not associated with the building of the bridge, was an eye-witness of all the principal operations. His book is understood to have been prepared at the request of the chief engineer, Mr. James B. Eads, whose written approval accompanies it. The author is not an engineer, but Professor of Mathematics in Washington University, and this circumstance perhaps adds to the value of his narrative, which is sufficiently technical and minute to meet the wants of the professional reader, and at the same time shows the work somewhat as viewed by a layman, and will be readily understood by any careful reader.

The first proposition for the erection of a bridge across the Mississippi River at St. Louis came from Mr. Charles Ellet, jr., in 1839. He proposed then to cross the river with a suspension-bridge having a central span of 1,300 feet, and two side spans of 900 feet each. It was before the days of railroads, and the city fathers stood aghast at the enormous estimate of cost—a little less than three-quarters of a million dollars, or about one-ninth the cost of the structure described in this volume. It was not till after the war that the scheme for a bridge began to take practical shape. Colonel Ellet was no longer alive; his brilliant career had closed in the successful first attack made by the gunboats which he had himself designed on the Mississippi River. In 1867 the time seemed to have come for operations really to begin. Strangely enough, after nearly thirty years of inactivity, two rival companies appeared in the field: one was regularly organized under the laws of Missouri, and included among its managers several emi-

nent citizens of St. Louis; the other claimed an exclusive right under a charter granted by the State of Illinois, and was controlled by a well-known bridge-builder of Chicago. The plans proposed by these two companies were strikingly unlike. Mr. James B. Eads was the chief engineer of the St. Louis company; Mr. Boomer was manager of the Illinois company. The location selected by the Missouri company was at the foot of Washington Avenue, where the width of the river at ordinary stages is but little over 1,500 feet; and the plan consisted of three steel arches, each 500 feet long, supported by two masonry piers in the river, and an abutment on each shore. All the foundations except that of the east abutment were to be sunk to the rock, which was known to be nearly ninety feet below low water at the site of the east pier. The Illinois company, on the other hand, had selected a location about half a mile above, and proposed to build an iron truss-bridge, the longest spans of which should be 350 feet, supported by piers formed of cast-iron columns, those nearest the Missouri shore to be sunk to the rock, and those on the east side bedded in the sand fifty or sixty feet below low water. For a time the contest between these two companies was very sharp, though confined principally to the newspapers and the courts. In March, 1868, this controversy was terminated by the nominal consolidation of the two companies, and the actual absorption of the Illinois company by its rival, to which the former had sold out.

On the 20th of August, 1867, ground was broken for the foundation of the west abutment. On the 25th of February, 1868, the first stone was laid. The work remained, however, in a state of inactivity till the early part of 1869, when enough money had been raised to justify an earnest start. Up to this time the bridge had been by many regarded as a work of doubtful possibility, and the plans, especially those of the foundations, were by no means matured. These plans had contemplated the construction of immense iron curbs, of circular or elliptical form, which were to be sunk to the rock by dredging the sand from the interior, after which the masonry was to be built in a floating pontoon inside the curb and allowed to sink gradually by its own weight to the rock foundation below. Before work was begun this plan was entirely abandoned, and it was determined to use the plenum-pneumatic process, which, though in general use abroad for nearly twenty years, had been applied only on a small scale in this country. For the benefit of the non-professional reader, a brief description of this process may not be out of place. It is simply the application of the diving-bell to foundations of large size. A caisson is first constructed of the full size of the foundation; this caisson has sides and roof, but no floor; the water is excluded by pumping air in, and the open bottom enables the workmen to excavate the material below. As the water is excluded simply by the pressure of the air, this pressure must always exactly balance the pressure of a column of water the base of which is at the bottom of the caisson; the caisson must therefore be made absolutely air-tight. For entrance and exit a small chamber called an air-lock is provided. The air-lock has two doors, one opening into it from the outer air, the other opening from the air-lock into the caisson. A person going into the caisson enters the air-lock and closes the door, the air-pressure being simply that of the normal atmosphere. He then opens an equalizing valve, which allows the compressed air of the caisson to enter the air-lock, and when the air-pressure in the lock has increased so as to balance that in the caisson he opens the door leading into the caisson and enters it. The reverse process is used in coming

out. The caisson is placed at the site selected for the foundation of a pier, and the masonry of the pier is built on top of it; when it reaches the bottom of the river, laborers are set to work in the caisson to dig out the river-bed, and as they excavate, the caisson sinks. This work is continued until a satisfactory bottom is reached, the laying up of masonry continuing all the while. When the sinking is completed, the caisson is filled with concrete or other material, making a solid mass of the whole pier. This increase of air-pressure in the caisson as the depth becomes greater is equivalent to about one atmosphere for every 35 feet of submersion.

Never had the pneumatic process been applied anywhere in Europe on a scale like that of the foundations of the St. Louis bridge. The caisson required for the west pier was 82 feet long and 48 feet wide, and was to be sunk 60 feet below ordinary low water. That for the east pier was 82 feet long and 60 feet wide, and had to be sunk 90 feet below ordinary low water. This—which was nearly 30 feet deeper than the deepest foundation ever put in by this process—involved working in over 100 feet of water, under a pressure of about four atmospheres.

The magnitude of these foundations was perhaps enough in itself to make the work original, but several novel details were introduced which added greatly to the efficiency of the undertaking. The air-locks, which had hitherto been placed at the top of long shafts and shifted as the depth increased, were immovable below the roof of the caisson. A very efficient excavator was devised by which the sand was carried off by a column of water forced through pipes by a pump outside. The sinking of these two great foundations was a remarkable triumph of engineering. No serious mishap occurred, and the work was carried on with extraordinary rapidity. In the last 20 feet of the east pier, however, the great pressure began to tell on the men. Its effect was very imperfectly understood; doctors differed while the men suffered. In the caisson no trouble was experienced, but in several instances, soon after returning to the normal atmosphere, men were attacked by a kind of paralysis, which sometimes resulted in speedy death. The length of a working shift was reduced to one hour, the men working twice a day, and the foundation was finally completed.

The success of these two foundations was such that it was determined to sink the east abutment also to the rock, albeit about 100 feet below ordinary low water. Special care was taken to avoid all the difficulties which had been experienced in the east pier; better ventilation was secured in the caisson; an elevator was provided to take the men up and down; lamps connected with special outlet pipes avoided the smoky atmosphere made by burning candles; special attention was given to the care of the men when working at great depth. The results told well: out of fourteen deaths which occurred from the effects of compressed air, only one occurred at the east abutment, and this one was plainly traceable to imprudence. In April, 1871, the last foundation was completed.

From this time forward interest centres in the construction of the three steel arches. This was an undertaking quite as bold as the foundations, and more original. Although the appearance of the St. Louis bridge is not unlike that of the bridge over the Rhine at Coblenz, which may have suggested the ribbed arch for St. Louis, the details of the construction, the material used, and the methods of erection were radically different; and the spans of the St. Louis bridge are more than one-half greater than those at Coblenz. From the start it was determined to make the arches of steel. Steel manufacture ten years ago was very different from what it is

now. It is still far from perfect, but any good, open-hearth furnace could now furnish promptly a material which was obtained only after repeated rejections and difficulties ten years ago. It is hardly too much to say that the steel arches of the St. Louis bridge involved the construction of a new material, the invention of new machinery for their manufacture, and a boldness in their erection commensurate with the other novel features. These arches, the central one of which has a clear span of 520 feet, were built out from the piers and abutments without false works, supported partly by their anchorage to the masonry, but principally by chains attached to temporary towers above the piers. In January, 1874, the last arch was closed. The work now went on rapidly to completion, and the end of June saw the St. Louis bridge virtually a completed work. On the 2d of July, 1874, nearly seven years after the breaking of the ground for the foundation of the west abutment, the finished structure was finally tested.

Seventeen chapters are devoted to the historical description. Eleven more are devoted to special subjects. To the professional reader these eleven chapters are the most valuable; the earlier chapters may be better appreciated by the layman. Chapter xxii., which treats of the physiological effects of compressed air, is perhaps the most remarkable. Prof. Woodward gives an exhaustive description of the sufferings of the workmen in the caisson of the east pier, of their treatment and of the opinions of the attendant physicians, and adds to this his own views, which, though differing from medical authorities, seem supported by excellent reasons. He attributes the injury to the men principally to the great loss of heat experienced in passing rapidly from a pressure of three or four atmospheres to that of one; and he suggests that, in addition to the improvements used at the east abutment, special provisions be made for warming the air-lock used for exit, and for artificially supplying to the men the heat which rapid rarefaction of the air deprives them of. Any person who has experienced the chill of an air-lock on leaving a caisson, and the gratifying warmth of a hot cup of coffee immediately thereafter, will appreciate the wisdom of Prof. Woodward's suggestions.

One of the longest chapters in the book, chap. xxv., is devoted to the experiments made to determine the strength of materials. Seven years ago the information it gives would have been very valuable; now it is one of the most disappointing parts of the book. The reports of the tests of steel give the elastic limit, the ultimate strength, and the modulus of elasticity, but they fail to note, except in a few instances, the stretch of the sample before fracture, and the character of the fracture—two features which are now considered quite as important as mere strength in determining the adaptability of metals to structural purposes. Tables like these are principally valuable in determining the requirements which an engineer should ask for in new works. Although now published for the first time, they have been superseded by later experiments, and give little indication of the class of material which an engineer would now seek to obtain.

The book bears in its pages the marks of honesty: it records the failures as well as the successes. No great work has ever been completed without drawbacks; the St. Louis bridge was not, and Prof. Woodward does not pretend that it was. He relates the failure of the attempt to fit the last tube into the arches, and the final adoption of an adjustable tube which could be lengthened after being put in place; and he does not conceal the fact that after the closing of the

two middle arches of the western span a tube was broken in each of them. The cause of the fracture was subsequently explained, and the broken tubes replaced by new ones. It is not probable that the St. Louis bridge will ever be copied: improvements in manufactures have in nothing been more rapid than in those materials which enter into bridge construction. Nevertheless, its construction has been of immense value to the engineering profession. It has shown, in a manner previously unknown, the great resources of the plenum-pneumatic foundation process, which has since been used to found the great piers of the East River bridge, and has come into general practice on the silt-bearing Missouri. It was the pioneer of steel-bridge construction.

The book has a full analytical table of contents, and an excellent alphabetical index. Two defects, however, may be mentioned. There is no general description of the whole subject; and a preliminary chapter devoted to this purpose would be of no little assistance to the reader to whom the history of this bridge is wholly new. The frequent reference to dates in all parts of the volume is generally made without giving the year; and though this may be determined by looking back a few pages, it is somewhat confusing in a narrative which runs over a period of seven years. On the whole, it is perhaps not too much to say that Prof. Woodward's volume is the most valuable work of its kind which has yet appeared in America; and it is gratifying to be able to add that the typographical execution is worthy of the book. Besides numerous woodcuts in the text, there are thirty-nine lithographic plates of unusually good workmanship, the value of which the professional reader well knows, and eleven reproductions of photographs, the most interesting of which represent the work during construction.

Harper's Popular Cyclopædia of United States History. From the Aboriginal Period to 1876. By Benson J. Lossing, LL.D. New York: Harper & Bros. 1881. 2 vols. 8vo, many illustrations.

MR. LOSSING has not heeded Macaulay's injunction to his index-maker, to confine himself almost exclusively to proper names. This, we may admit, was neither practicable nor desirable in a work like the present; but the case still clearly called for the science of the dictionary-cataloguer as well as for the learning of the historian. Hence, what first strikes us in turning these pages is the extraordinary nature of some of the titles, as will appear from a few examples. *Amphibious Warfare* is not exactly a popular heading which it would occur to any one to consult. *Ancestors of the Pilgrims* is a hardly more rational rubric. And what shall we say of *Emancipation of Ireland* (as the result of the American War of Independence) except that it is tolerably far-fetched; of the *Navy Quickly Created*; and of the *March of Public Sentiment*! This last title refers to the progress made in amending slavery out of the Constitution within twelve years after the Dred Scott decision. Mr. Lossing himself might be cited in illustration of the same theme. In 1868 he published 'A Pictorial History of the United States, from the Earliest Period to the Present Time,' in which no notice was taken of the anti-slavery movement in any shape before 1850, nor any mention made of the Liberty Party, or of the Free Soil Party before 1856. Now, in the march of his sentiment, he has articles on the *Abolition Convention* (of 1794) and on *Anti-Slavery Champions in Massachusetts* (in 1766), *Anti-Slavery Societies* of the last and present centuries, etc., with portraits and biographies of

the leaders, and gives a place to John G. Birney (though not to John P. Hale), to Frémont, Sumner, Wilson, etc. This, albeit there is no *Abolition of Slavery* (one must look under *Emancipation*), indicates some progress in a little more than twelve years. We remark in passing that the American Anti-Slavery Society was founded not in 1832, but in 1833, and that its first President was Arthur Tappan, a name whose omission from a dictionary which includes George Peabody (not more princely and not so philanthropic a giver) leads us naturally to speak of some other omissions.

The historian Gibbon finds a place because he was a paid writer against the Colonies, but neither his 'American Notes' nor his two visits to this country entitle Dickens to admission; nor her 'Society in America,' Harriet Martineau. Kossuth is recognized, but not George Thompson, whose tour here was attended with vastly greater consequences to "American history." So the enthusiasm for phrenology which greeted Spurzheim and Combe, and the temperance furor excited by Father Mathew, should have brought these eminent men within the scope of Mr. Lossing's work. Sylvester Graham, for his lasting influence on the American diet, and Samuel Thomson for his medical school, were as significant factors in shaping or developing or illustrating our national character as was William Miller, the prophet of the Adventists. J. H. Noyes and the Perfectionists go wholly unrecognized; nor is the late head of the Oneida Community alluded to, even as their historian, under *Communitistic Societies*. Oneida, Rappites, and Dunkers are all neglected in the alphabetical arrangement. Robert Owen is discoverable, but not Frances Wright. Mrs. Stowe being lost to view, like her father, it is not surprising that Mrs. Frances Ann Kemble shares their oblivion; but it is strange that Forrest should be wanting, even if Macready is.

Here we touch upon another curious phase of this work. The Astor-Place riot is one of the landmarks in American history. It is not mentioned. There is a generic title for *Riots*, but the instances are all Revolutionary, as if there had never been any since. *Mob in Baltimore* (1861) is the only other confession of American lawlessness; but of the famous Boston mob of 1835, nothing; of the Alton riot of 1837, so profound in its effect upon Northern sentiment toward slavery, nothing, nor is Lovejoy known to Mr. Lossing; in short, of any anti-abolition mob, nothing. This is all the more remarkable because these related distinctly to freedom of speech and of the press, to which the Cyclopædia gives three titles, pertaining, however, wholly to the past century. One of these, *Freedom of the Press in Massachusetts* (1721), is a striking commentary on the failure to record the name and trial of Abner Kneeland.

The truth is, that we have some reason to be grateful that Mr. Lossing has not construed the term history as applicable solely to naval or military persons and events. "O que j'aime les militaires!" might almost be taken for the motto of a work which is silent as to Corwin, Giddings (even in connection with the Seminole War), and Gerrit Smith, and gives five titles to Francis Marion, as many to Frémont, and one to General Badeau. Yet under *Meade* there is no reference to Gettysburg. Benton's duel with Jackson, like his subsequent reconciliation with the President and ardent support of his war on the United States Bank, is overlooked. Calhoun's quarrel with his chief when Vice-President in 1832 was more important than many a battle-field not forgotten by Mr. Lossing. Political parties are sometimes not at all, or not skilfully, included. The Barnburners shine by their absence, and Know-Nothings must be

sought, without a cross-reference, under *American Party*. Instances such as these last show how much the value of this Cyclopædia is impaired as a work of reference for young political students puzzled by names which have fallen into desuetude. Apparently, in the design of its author, it was to be read through consecutively, though even this hypothesis fails to explain the ordering of titles in such a way as to introduce an episode of a man's life—e.g., *Marion and the British Officer*—before his biography proper is reached.

It would be easy to continue to point out shortcomings, but we might end by seeming to undervalue this laborious and useful compilation. For the Revolution and the Rebellion and the two intervening wars it will be found especially serviceable; much less so for the political movements of the present century; scarcely at all for the social progress. Its plan, as we have seen, must not be scrutinized too closely, and one must take it for what it offers. We can specify the chronology of the *Minor Events of the Civil War*, the twenty-eight titles under *Slavery*, and that devoted to the *Peace Congress*, among others, as extremely convenient for consultation. Citations are in Mr. Lossing's familiar style.

have the merit of being realistic (at least in intent; the execution, as in some of the portraits, occasionally falls short), and seldom purely imaginative. The facsimile of Lincoln's Emancipation Proclamation is typical of the principle of selection.

BOOKS OF THE WEEK.

A Tallahassee Girl. [Round-Robin Series.] Boston: J. R. Osgood & Co. \$1.
Audsley, W. and G. Popular Dictionary of Architecture and the Allied Arts. Vols. I and II. New York: G. P. Putnam's Sons.
Chandler, H. W. Practical Introduction to Greek Accusation. Revised edition. Oxford: Clarendon Press: New York: Macmillan & Co.
Cluer, A. R. Livy: Books v., vi., and vii. Oxford: Clarendon Press: New York: Macmillan & Co.
Collins, W. L. La Fontaine, and Other French Fabulists. Philadelphia: J. B. Lippincott & Co. \$1.
Crake, A. D. The Rival Heirs. New York: E. & J. B. Young & Co. \$1.
Culross, J. William Carey. New York: A. C. Armstrong & Co. 75 cents.
Foye, J. C. Tables for the Determination, Description, and Classification of Minerals. Chicago: Jansen, McClurg & Co. \$1.
Fuller, A. W. Artistic Homes in City and Country. Boston: J. R. Osgood & Co. \$3 50.
Gautier, T. One of Cleopatra's Nights, and Other Fantastic Romances. New York: R. Worthington. \$1 75.
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